

The Gazette of India



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No. 46] NEW DELHI, SATURDAY, NOVEMBER 17, 1956

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 10th November 1956. :—

Issue No.	No. and date	Issued by	Subject
314-A	S.R.O. 2475-A, dated the 26th October 1956.	Ministry of Food and Agriculture.	Appointment of date on which the Indian Coconut Committee (Amendment) Act, 1956, shall come into force.
325	S.R.O. 2528, dated the 30th October 1956.	Ministry of Home Affairs.	Extension of the West Bengal Security Act, 1950, to the State of Tripura, with certain modifications.
325-A	S.R.O. 2528-A, dated the 31st October 1956.	Ditto . . .	Corrigenda to S.R.O. 2473, dated the 25th October 1956 published in the Gazette of India Extraordinary, Part II Section 3, dated the 25th October 1956.
326	S.R.O. 2529, dated the 1st November 1956.	Ditto . . .	A Proclamation by the President regarding the State of Kerala.
	S.R.O. 2530, dated the 1st November 1956.	Ditto . . .	An order by the President regarding the State of Kerala.
327	S.R.O. 2531, dated the 30th October 1956.	Government of Ajmer .	Appointment of date on which the provisions of Chapter VI relating to Nyaya Panchayat of the Ajmer State Panchayat Act, 1954 shall come into force in the State of Ajmer with the exception of certain areas.
328	S.R.O. 2532, dated the 1st November, 1956.	Ministry of Finance (Department of Revenue).	Exemption of tea, when exported from so much of customs duty as in excess of six annas per lb.

Issue No.	No. and date	Issued by	Subject
329	S.R.O. 2533, dated the 1st November 1956.	Ministry of Commerce and Consumer Industries.	Fixation of the price of tea for the purpose of item 5 of the Second Schedule to the Indian Tariff Act, 1934.
330	S.R.O. 2534, dated the 1st November 1956.	Ministry of Heavy Industries.	Appointment of members of the Central Advisory Council of Industries.
331	S.R.O. 2535, dated the 1st November 1956.	Ministry of Finance	Amendments made in the Companies (Central Government's) General Rules and Forms 1956.
332	S.R.O. 2536, dated the 1st November 1956.	Ministry of Home Affairs.	Directions by the President regarding the functions of the Lieutenant Governor of the Union territory of Himachal Pradesh, the Chief Commissioner of the Union territory of Delhi, Manipur or Tripura and the Chief Commissioner of the Andaman and Nicoba Islands.
333	S.R.O. 2537, dated the 1st November 1956.	Ministry of Law	The States Reorganisation (Council of States) (Term of Office of Members) Order, 1956.
334	S.R.O. 2538, dated the 1st November 1956.	Ditto	The Adaptation of Laws (No. 1) Order, 1956.
	S.R.O. 2539, dated the 1st November 1956.	Ditto	The Adaptation of Laws (No. 2) Order, 1956.
335	S.R.O. 2540, dated the 30th October 1956.	Ministry of Heavy Industries.	Exemption from the operation of a few sections of the Industries (Development and Regulation) Act, 1951, of all industrial undertakings pertaining to the Textile Machinery Industry with certain limitations.
336	S.R.O. 2541, dated the 6th October 1956.	Election Commission, India.	Election Petition No. 4 of 1954.
337	S.R.O. 2542, dated the 5th November 1956.	Ministry of Commerce and Consumer Industries.	Extension of period for the exercise of power to make orders in relation to all commodities except cotton textiles in the Naga Hills District by the State Government of Assam.
338	S.R.O. 2542-A, dated the 7th November 1956.	Ministry of Heavy Industries.	Amendment made in S.R.O. 3436, dated the 8th November 1955.
	S.R.O. 2542-B, dated the 7th November 1956.	Ditto	Amendment made in the S.R.O. 3437, dated the 8th November 1955.
339	S.R.O. 2634, dated the 8th November 1956.	Ministry of Labour	The Bombay Dock Workers (Regulation of Employment) Scheme, 1956.

Issue No.	No. and date	Issued by	Subject
	S.R.O. 2635, dated the 8th November 1956.	Ministry of Labour	Constitution of the Bombay Dock Labour Board.
	S.R.O. 2636, dated the 8th November 1956.	Ditto	Appointment of the Bombay Stevedor s' Association Ltd. to be the Administrative Body for the administration of the Bombay Dock Workers (Regulation of Employment) Scheme, 1956.
339-A	S.R.O. 2636-A, dated the 8th November 1956.	Ministry of Works Housing and Supply.	The Central Government rescinds S.R.O. 826, dated the 7th April, 1956.
340	S.R.O. 2637, dated the 5th November 1956.	Reserve Bank of India	The State Bank of Hyderabad General Regulations, 1956.
341	S.R.O. 2638, dated the 9th November 1956.	Election Commission, India.	Election of two persons to fill vacancies in the seats allotted to the Union territory of Delhi in the Council of States.
	S.R.O. 2639, dated the 9th November 1956.	Ditto	Appointment of dates for election to fill vacancies in the seats allotted to the Union territory of Delhi in the Council of States.
	S.R.O. 2640, dated the 9th November 1956.	Ditto	Designation of the Returning Officer for election to fill vacancies in the seats allotted to the Union territory of Delhi in the Council of States.
	S.R.O. 2641, dated the 9th November 1956.	Ditto	Election of a person to fill a vacancy in the seats allotted to the Union territory of Himachal Pradesh in the Council of States.
	S.R.O. 2642, dated the 9th November 1954.	Ditto	Appointment of dates for Election to fill a vacancy in the seats allotted to the Union territory of Himachal Pradesh in the Council of States.
	S.R.O. 2643, dated the 9th November 1956.	Ditto	Designation of Returning Officer for election to fill a vacancy in the seats allotted to the Union territory of Himachal Pradesh in the Council of States.
	S.R.O. 2644, dated the 9th November 1956.	Ditto	Election of a person to fill a vacancy in the seats allotted to the Union territory of Manipur in the Council of States.

Issue No.	No and date	Issued by	Subject
	S R.O. 2645, dated the 9th November 1956.	Election Commission India	Appointment of dates for election to fill a vacancy in the seats allotted to the Union territory of Manipur in the Council of States
	S R.O. 2646, dated the 9th November 1956.	Ditto	Designation of Returning Officer for election to fill a vacancy in the seats allotted to the Union territory of Manipur in the Council of States

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

ELECTION COMMISSION, INDIA

New Delhi, the 8th November 1956

S.R.O. 2652.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Rajasthan, hereby nominates Shri Chandra Shekhar Gupta, I.A.S., Secretary to the Government of Rajasthan, Election Department, as the Chief Electoral Officer for that State with effect from the 1st November, 1956

[No 154/11/56]

S.R.O. 2653.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, as adapted by the adaptation of Laws (No 2) Order, 1956, the Election Commission, in consultation with the Chief Commissioner of Delhi, hereby nominates Shri Hans Raj, M.A., L.L.B., P.C.S., Secretary to the Chief Commissioner (Law and Judicial), Delhi, as the Chief electoral Officer for the Union Territory of Delhi with effect from 1st November, 1956

[No 154/15/56]

New Delhi, the 9th November 1956

S.R.O. 2654.—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Madras, hereby nominates Shri M. A. Sheriff, I.A.S., Deputy Secretary to the Government of Madras, Public Department, as the Chief Electoral Officer for that State with effect from the 1st November, 1956

[No 154/7/56]

S.R.O. 2655—In exercise of the powers conferred by sub-section (1) of Section 13A of Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Mysore, hereby nominates Shri M. Varadarajan, M.A., B.L., *ex-officio* Joint Secretary to the Government of Mysore, Election Department, as the Chief Electoral Officer for that State with effect from the 1st November, 1956

[No 154/8/56]

New Delhi-2, the 10th November 1956

S.R.O. 2656.—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Bihar, hereby nominates Syed Akhtar Ahsan Rizwi, Deputy Secretary to the Government of Bihar, Appointment Department, as the Chief Electoral Officer for that State with effect from the 1st November, 1956.

[No. 154/3/56.]

S.R.O. 2657.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Kerala, hereby nominates Shri V. Krishna Moorthy Iyer, Secretary (Elections), Kerala, as the Chief Electoral Officer for that State with effect from the 1st November, 1956.

[No. 154/5/56.]

S.R.O. 2658.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of West Bengal, hereby nominates Shri M. M. Basu, I.C.S., Secretary to the Government of West Bengal, Home Department, as the Chief Electoral Officer for that State with effect from the 1st November, 1956.

[No. 154/13/56.]

By order,

A. KRISHNASWAMY AIYANGAR, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi-2, the 7th November 1956

S.R.O. 2659.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby exempts His Highness the Maharaja of Bhutan and party comprising of one officer and 20 guards from all the prohibitions and directions contained in the said Act in respect of the arms and connected ammunition carried by them during His Highness tour on Indo-Bhutan frontier till the end of March, 1957.

[No. 17/15/56-P(IV).]

J. N. DHAMIJA, Dy. Secy.

New Delhi-2, the 8th November 1956

S.R.O. 2660.—In pursuance of clause (b) of rule 2 of the Citizenship Rules, 1956, the Central Government hereby appoints each of the officers specified in column 1 of the Schedule hereto annexed to perform in the State of Rajasthan the functions of the Collector under the said Rules in respect of the area specified against him in the corresponding entry in column 2 of the said Schedule.

SCHEDULE

<i>Designation of officer</i>	<i>Area</i>
I	2
Sub-Divisional officer, Ganganagar.	Ganganagar Sub-Division.
Additional Collector and Additional District Magistrate, Ganganagar.	Ganganagar District.
Additional Collector and Additional District Magistrate, Kota.	Kota District.
Additional Collector and Additional District Magistrate, Jodhpur.	Jodhpur District.
Sub-Divisional Officer, Barmer.	Barmer Sub-Division.
Sub-Divisional Officer, Alwar.	Alwar Sub-Division.
Assistant Collector & Magistrate, Alwar.	Alwar Sub-Division.

I

2

b-Divisional Officer, Bharatpur.
Additional Collector and Additional District
Magistrate, Jaipur.
Additional Collector and Additional District
Magistrate, Jaipur.
Sub-Divisional Officer, Jaipur.
Sub-Divisional Officer and Dev. Officer,
Udaipur.

Bharatpur Sub-Division.
Jaipur District.
Jaipur District.
Jaipur Sub-Division.
Udaipur Sub-Division.

[No. 10/3/56-IC.]

CORRIGENDUM

New Delhi-2, the 7th November 1956

S.R.O. 2661.—In the Schedule annexed to the Notification of the Government of India in the Ministry of Home Affairs No. 10/3/56-IC, dated the 18th October, 1956, published to page 1761 of the *Gazette of India*, Part II Section 3, dated the 27th October, 1956, against the Kampur District in column 1, for the words "Kampur Circle" occurring in the entries in each of the columns 2 and 3 respectively read "Kamalpur Circle".

[No. 10/3/56-IC.]

FATEH SINGH, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi-3, the 26th October 1956

S.R.O. 2662.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Indian Emigration Act (No. VII of 1922), the President is pleased to appoint Shri Haradhan Mukherjee, Personal Assistant to the Protector of Emigrants, Calcutta, to officiate as Protector of Emigrants, Calcutta, with effect from the forenoon of 13th September, 1956, vice Shri K. E. Krishnamachary, granted leave.

[No. 228/Emi-56.]

P. SOMASEKHARAN, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 8th November 1956

S.R.O. 2663.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the Provident Fund established for the benefit of the employees of the State Bank of Saurashtra constituted by the Saurashtra State Banks (Amalgamation) Ordinance, 1950.

[No. F.7(154)-F.I/55.]

S.R.O. 2664.—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act, the name of the following public institution, namely:—

"The State Bank of Saurashtra, constituted by the Saurashtra State Banks (Amalgamation) Ordinance, 1950".

[No. F.7(154)-F.I/55-I.]

New Delhi, the 9th November 1956

S.R.O. 2665.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clause (i) of clause (c) of sub-section (1) of section 10 of the said Act shall not apply to the Sangli Bank Ltd. till the 21st May, 1957, in so far as the said provisions prohibit its Manager from being a director of the Spices and Oilseeds Exchange Ltd., Sangli.

[No. 4(129)-FI/56.]

J. L. KUNDU, Dy. Secy.

(Department of Economic Affairs)

OFFICE OF THE TREASURER OF CHARITABLE ENDOWMENTS FOR INDIA

New Delhi, the 13th November 1956

S.R.O. 2666.—In the Ministry of Finance, Department of Economic Affairs, notification containing the accounts of the Treasurer of Charitable Endowments for India for the year 1955-56 in respect of Charitable Endowments in the State of Coorg, No. F.I(6)-F.I-TCE/56, dated the 17th July, 1956, published as S.R.O. 1663 at pages 1248 and 1249, in Part II, Section 3 of the Gazette of India, dated the 28th July, 1956, the following amendments may be made, namely:—

In Column 4 against Serial No. (3), the existing entries under the heading "Payments"

"Interest remitted	276-5-0
Balance in hand	8-5-0"

shall be substituted by the following:—

"Interest remitted	275-0-0	}
Fee paid to Government	1-5-0	
	276-5-0	
Balance in hand	8-3-0"	

In Column 5 against this entry the following shall be inserted:—

£ Rs. 1-5-0 is in respect of fee for the year 1954-55 which was pending adjustment during that year. During the year 1955-56 Rs. 1-7-0 became due to Government in respect of fee, but this could not be adjusted in the accounts for the year.

[No. F.I(6)-F.I-TCE/56.]

G. SWAMINATHAN,

Treasurer of Charitable Endowment for India.

RESERVE BANK OF INDIA

(Central Office)

Bombay, the 29th October 1956

S.R.O. 2667.—In pursuance of the notification of the Government of India in the Finance Department No. 12(13)-FI/47, dated the 25th March, 1947, the Reserve Bank hereby directs that the following amendment shall be made in the notification of the Reserve Bank of India No. F.E.R.A.10/47-R.B., dated the 25th March, 1947, namely:—

In the Schedule to the said notification, after the entry "Travancore Bank Ltd." the entry "Union Bank of India Ltd." shall be inserted.

[No. F.E.R.A.145/56-R.B.]

B. RAMA RAU, Governor.

MINISTRY OF FINANCE (DEPARTMENT OF REVENUE)

ORDER

STAMPS

New Delhi, the 13th November 1956

S.R.O. 2668.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the whole of the stamp duty chargeable under the said Act on the lease deed executed by the High Commission for the United Kingdom in India, on the 22nd October, 1956, in respect of the premises known as "The Cottage" at 21, Golf Links, New Delhi.

[No. 23.]

[No. F.1(12)/56-Stamp-Cus VII.]

M. PANCHAPPA, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi the 7th November 1956

S.R.O. 2669.—In exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby directs that the following further amendments shall be made in the Indian Income-tax Rules, 1922, the same having been previously published as required by sub-section (4) of the said section, namely:—

For rule 43-A of the said Rules, the following shall be substituted, namely:—

"43-A. The return under section 20-A shall be in the following form and shall, in the case of a company, be delivered by its Principal Officer to the Income-tax Officer having jurisdiction for the time being to assess the Company, and in other cases to the Income-tax Officer in whose jurisdiction the person responsible for paying interest resides:—

RETURN UNDER SECTION 20A OF THE INDIAN INCOME-TAX ACT,
1922 FOR THE YEAR 1ST APRIL, 19.....TO 31st MARCH, 19.....

Name of payer.

Address of payer.

Serial No.	Name of payee	Address of payee	Date of payment	Amount of interest or aggregate interest.
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I,, the Principal
Officer of the Company hereby certify that the above statement contains
a complete list of persons to whom interest or aggregate interest exceeding Rs. 400
(regardless of any interest paid to me) was paid during the period 1st
the company

April, 19.....to 31st March, 19.....

Date.....19.....

Signature"

[No. 78 (F. No. 4(6)-I.T./52).]

P. N. DAS GUPTA, Secy.

INCOME-TAX

New Delhi, the 8th November 1956

S.R.O. 2670.—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act 1922 (XI of 1922), the Central Board of Revenue hereby makes the following further amendments in its notification No. S.R.O. 1884-No. 57-Incometax, dated the 20th August 1956, namely:—

In the Schedule annexed to the said notification—

(a) Under the head "I-Assam" for the word "Jorhat" in column 1 of the Schedule the word "Shillong" shall be substituted;

(b) Under the head "IV-Ahmedabad"—

(i) against "Rajkot Range" after the entry "6. E.D.-Cum-I.T. Circle, Rajkot" the following entry shall be added:—

"7. Special Survey Circle II, Rajkot"

[for appeals arising from the territorial jurisdiction of Rajkot, Morvi, Bhuj, Jamnagar & Surendranagar Circles].

(ii) against "Bhavnagar Range" after the entry '4. Porbandar Circle', the following entry shall be added:—

"5. Special Survey Circle II, Rajkot"

(for appeals arising from the territorial jurisdiction of Bhavnagar, Amreli, Junagadh & Porbandar Circles).

[No. 79 (50/75/56-IT).]

S.R.O. 2671.—In exercise of the powers conferred by sub-section (6) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its notification S.R.O. 1214 (No. 44-Income-tax), dated the 1st July, 1952, namely:—

In the said schedule after S. No. 21-D, the following item shall be inserted, namely:—

1	2	3	4	5	6
21-E	Employees of M/s. Volkart Bros. stationed in Madras & Cochin	-do-	-do-	-do-	-do-

[No. 80 (55/107/56-IT).]

New Delhi, the 13th November 1956

S.R.O. 2672.—In pursuance of sub-section (4) of section 5 of the Indian Incometax Act, 1922 (XI of 1922) the Central Board of Revenue hereby directs that the following further amendments shall be made in the notification No. S.R.O. 1884-No. 57-Incometax dated the 20th August 1956 namely:—

In the schedule appended to the said notification under the head VII-Hyderabad against "Rajahmundry Range" after entry "6—Masulipatnam" the following entry shall be added, namely,

"7-Palacole".

[No. 81.]

[No. 50/75/56-IT.]

B. V. MUNDKUR, Under Secy.

LAND CUSTOMS

New Delhi, the 17th November 1956

S.R.O. 2673.—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (19 of 1924), the Central Board of Revenue hereby makes

the following further amendment in its notification No. 22-Customs, dated the 2nd February 1952, namely:—

In the Schedule to the said notification, under the heading "C-Land Customs areas under the jurisdiction of the Collector of Land Customs, Calcutta" and the sub-heading "HOWRAH AND CALCUTTA AREA" for the existing entry "C'Shed King George's Dock" in column 1 and the corresponding entry relating thereto in column 2, the following entry shall be substituted, namely:—

1	2
"No 4 Calcutta Jetties	The river routes from Calcutta to Assam through East Pakistan via Beharikhah"

[No. 99.]

S. K. BHATTACHARJEE, Secy.

MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES

New Delhi, the 10th November 1956

S.R.O. 2674.—In exercise of the powers conferred by the proviso to Explanation I to sub-section (1) of Section 3 of the Dhoties (Additional Excise Duty) Act, 1953 (39 of 1953), the Central Government hereby fixes the permissible quota for the quarter ending 31st December 1956, and every subsequent quarter in respect of M/s. Shree Durga Cotton Mills, Kadi, to be 485, 732 (Four hundred and eighty five thousand and seven hundred and thirty two) yards.

[No. 8(5)-CT(A)/56-10.]

S.R.O. 2675.—In exercise of the powers conferred by the proviso to Explanation I to sub-section (1) of Section 3 of the Dhoties (Additional Excise Duty) Act, 1953 (39 of 1953), the Central Government hereby fixes the permissible quota for the quarter ending 31st December 1956 and every subsequent quarter in respect of M/s. The Lord Krishna Textile Mills, Saharanpur to be 190,800 (One hundred and ninety thousand and eight hundred) yards.

[No. 8(5)-CT(A)/56-11.]

V. V. NENE, Under Secy.

COFFEE CONTROL

New Delhi, the 10th November 1956

S.R.O. 2676.—In exercise of the powers conferred by section 48 of the Coffee Act, 1942 (7 of 1942), the Central Government hereby makes the following amendment in the Coffee Rules, 1955, published with the Notification of the Government of India in the late Ministry of Commerce and Industry No. S.R.O. 1666, dated the 1st August, 1955, namely:—

In the said rules, for the words "in the Ministry of Commerce and Industry" wherever they occur, the words "in the appropriate Ministry" shall be substituted.

[No. 15(7)Plant(B)/56.]

P. V. S. SARMA, Dy. Secy.

(Indian Standards Institution)

Delhi, the 5th November 1956

S.R.O. 2677.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed, have been established during the period 16th to 31st October, 1956.

THE SCHEDULE

Sl. No.	No and title of the Indian Standard established	Indian	No and title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)		(3)	(4)
1	IS. 657-1956 Specification for Materials for Use in the Manufacture of Magnesium Oxychloride Flooring Compositions (<i>Tentative</i>)		..	This specification covers the requirements for (a) calcined magnesite, (b) fillers and aggregates, (c) pigments, and (d) magnesium chloride which are used in the manufacture of magnesium oxychloride flooring compositions (Price Rs 2/8/-).
2	IS 728-1956 Methods for determination of Weight, Thickness and Uniformity of Coating on Galvanized Articles other than Wires and Sheets			This standard lays down test procedures for the determination of weight, thickness and uniformity of zinc coating on galvanized articles other than wires and sheets (Price Rs. 1/8/-).
3	IS 739-1956 Specification for Wrought Aluminium and Aluminium Alloys, Wire (for General Engineering Purposes)		..	This standard covers the requirements of four grades of wrought aluminium and ten grades of wrought aluminium alloys in the form of wire. (Price Rs. 2/8/-).
4	IS 740-1956 Specification for Wrought Aluminium and Aluminium Alloys, Rivet Stock (for General Engineering Purposes)		.	This standard covers the requirements of one grade of wrought aluminium and four grades of wrought aluminium alloys in the form of rivet stock (Price Rs 2/-).
5	IS 877-1956 Methods of Sampling and Test for Activated Carbon Used for Decolourizing Vegetable Oils and Sugar Solutions		..	This standard prescribes the methods of sampling and of physical and chemical tests for activated carbon used for decolourizing vegetable oils and sugar solutions (Price Rs 1/8/-).

Copies of these Indian Standards are available for sale with the Indian Standards Institution, 19, University Road, Delhi-8

D V KARMARKAR,
Deputy Director (Marks).

[No. MDC/II(4).

S.R.O. 2678—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies the issue of errata slips, particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	Particulars of Errata Slip issued
(1)	(2)	(3)	(4)
1	IS : 100-1950 Specification for Oil Paste for Paints, for General Purposes, Black	S.R.O. No. 658 dated the 26th March 1955	The existing items (c) and (d) on page 3, clause 4.2 are to be substituted by the following : (c) Whiting (IS : 63-1950). Not more than 10 per cent. (d) Barytes (IS: 64-1950) Remainder
2	IS: 430-1953 Specification for Paint Remover, Solvent Type, Non-Inflammable.	Do.	'6 percent' on page 2, clause 4.4, line 3, is to be changed to '8 percent'.
3	IS: 443-1953 Methods of Test for Hoses.	S.R.O. No. 658 dated the 26th March, 1955.	6 $\frac{1}{8}$ in. (or 0.6 mm)' on page 3, column 1, line 15 is to be changed to $\frac{1}{4}$ in. (or 0.8 mm.)'.

Copies of these errata slips are available free of cost, from the Indian Standards Institution, 19 University Road, Delhi-8.

D. V. KARMARKAR,
Deputy Director (Marks).

[No. MDC/11(10).]

S.R.O. 2679.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that a licence, particulars of which are given in the Schedule hereto annexed, has been granted authorizing the licensee to use the Standard Mark.

THE SCHEDULE

Licence No. and date	Period of validity		Name and Address of Licensee	Article(s)/Process covered by the licence	Relevant Indian Standard
	From	To			
CM/L-20 24-10-1956	24-10-1956	23-10-1957	Messrs. Shree Digvijay Cement Co. Ltd., Sikka (Saurashtra)	Ordinary, Rapid-Hardening and Low Heat Portland Cement	IS : 269-1951 Specification for Ordinary, Rapid-Hardening and Low Heat Portland Cement

D. V. KARMARKAR,
Deputy Director (Marks).

[No. MDC/12(43).]

VIDYA PRAKASH, Under Secy.

MINISTRY OF HEAVY INDUSTRIES*New Delhi, the 9th November 1956*

S.R.O. 2680.—ESS-COMM/IRON & STEEL 2(c)/AM(10).—In exercise of the powers conferred by sub-clause (c) of Clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India in the late Ministry of Commerce and Industry, No. S.R.O. 1112/ESS.COMM/IRON & STEEL-2(c), dated the 8th May, 1956, namely:—

In the Schedule annexed to the said notification, in Columns 2 and 3 thereof, against UTTAR PRADESH, the following entry shall be added, namely:—

2	3
“5. All the District Supply Officers.	4, 5, 18, 20, 24(b), 24(c) and 24(d)”

[No. IS(A)-4(253)/II.]

New Delhi, the 13th November 1956

S.R.O. 2681.—ESS.COMM/IRON & STEEL-2(c)/AM(11).—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India in the late Ministry of Commerce and Industry, No. S.R.O. 1112/ESS.COMM/IRON & STEEL-2(c), dated the 8th May, 1956, namely:—

In the Schedule annexed to the said notification, the following entries shall be added to the entries relating to the North-East Frontier Agency in the respective Columns 2 and 3 of the Schedule, namely:—

“2	3
5. Inspector of Supply, Tuensang.	4 and 5.”

[No. I&S(A)-4(253)-II.]

P. S. V. RAGHAVAN, Under Secy.

ORDER*New Delhi, the 13th November 1956*

S.R.O. 2682.—In pursuance of rule 9 of the Development Councils (Procedural) Rules, 1952, made under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Ravi L. Kirloskar, Messrs Kirloskar Electric Co., Ltd., 460/2, 18th Cross, Malleswaram, Bangalore—3, as a substitute to take the place of Shri N. W. Gurjar, Messrs. Kirloskar Electric Co., Ltd., 460/2, 18th Cross, Malleswaram, Bangalore—3, a member of the Development Council established for the scheduled industries engaged in the manufacture and production of electric motors and of machinery and equipment for the generation, transmission and distribution of electric energy (excluding house service meters and panel instruments), for the purpose of attending the meeting of the said Council to be held in New Delhi on the 30th November, 1956.

[No. 5(16)IA(GB)/56.]

R. N. KAPUR, Under Secy.

MINISTRY OF AGRICULTURE*New Delhi, the 12th November 1956*

S.R.O. 2683.—The following draft of certain further amendments in the Creamery Butter Grading and Marking Rules, 1941 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 7-12-1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

In Schedule I appended to the said Rules, in the third column headed "General characteristics",

- (i) in clause (d), for the words "Only harmless colouring matter may be added", the words "only Annatto may be used as a colouring matter" shall be substituted;
- (ii) in clause (e), for the figures '18' the figures '16' shall be substituted.

[No. 5096 Am/56.]

V. S. NIGAM, Under Secy.

(I.C.A.R.)

New Delhi, the 31st october 1956

S.R.O. 2684.—Under Section 4(ii) of the Indian Cotton Cess Act 1923 (14 of 1923), the Central Government hereby nominates Dr. V. G. Vaidya, Director of Agriculture, Research and Education, Madhya Pradesh, Nagpur, as a member of the Indian Central Cotton Committee, Bombay, upto 31st March, 1958, *vice* Dr. R. J. Kalamkar.

[No. F. 1-42/52-Com.II.]

New Delhi, the 1st November, 1956

S.R.O. 2685.—In exercise of the powers conferred by section 4(5) (ix) of the Indian Lac Cess Act, 1930 (24 of 1930), the Central Government are pleased to re-nominate Mr. J. W. Webber of Messrs. Gramophone Co. Ltd., Dum Dum, as a member of the Advisory Board of the Indian Lac Cess Committee to represent the lac consuming industry for a further period of 3 years from 1-10-1956.

[No. 4-5/56-Com.I.]

MOKAND LALL, Under Secy.

MINISTRY OF HEALTH

New Delhi-2, the 5th November 1956

S.R.O. 2686.—In exercise of the powers conferred by section 16 of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, (21 of 1954), the Central Government hereby makes the following amendment in the Drugs and Magic Remedies (Objectionable Advertisements) Rules, 1955 namely:—

In the Schedule to the said Rules items 23 to 32 shall be renumbered as items 24 to 33 respectively and before item 24 as so renumbered, the following item shall be inserted, namely:—

"23. Nervous diseases including Nervous Debility."

[No. F.8-2/56-D.]

S.R.O. 2687.—In exercise of the powers conferred by sub-section (1) of section 28 of the All-India Institute of Medical Sciences Act, 1956 (25 of 1956), read with the proviso to the said sub-section, the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the All-India Institute of Medical Sciences (Nomination) Rules, 1956.

(2) They shall come into force at once.

2. **Definitions.**—In these rules, unless the context otherwise requires—

- (a) "Act" means the All-India Institute of Medical Sciences Act, 1956;
- (b) "Chairman" means the Chairman of the Inter-University Board; and
- (c) "Institute" means the All-India Institute of Medical Sciences established under section 3 of the Act.

3. **Procedure for nomination.**—Four representatives of the medical faculties of Indian Universities to be nominated by the Central Government under clause (f) of section 4 of the Act shall be nominated in accordance with the procedure hereafter specified, namely:—

- (a) on request made by the Director of the Institute the Chairman shall require the medical faculty of every Indian University to select two persons from amongst the members of that faculty and two persons from amongst the members of the medical faculties of other Indian Universities as candidates for the purpose of nomination by the Central Government under clause (f) of section 4 of the Act in accordance with these rules;
- (b) The Chairman shall prepare a list of all candidates selected under and in accordance with clause (a) and shall forward a copy of such list to the head of each medical faculty (by whatever name he may be known);
- (c) on receiving such list the head of each medical faculty (by whatever name he may be known) shall have votes recorded from the members of the faculty for the election by the method of the single transferable vote of four persons to represent the medical faculties of Indian Universities on the Institute;
- (d) the head of each medical faculty (by whatever name he may be known) shall send the votes recorded for each candidate to the Chairman who shall cause such votes to be counted and shall prepare a list of the four candidates who have secured the largest number of votes in accordance with the method of the single transferable vote;
- (e) the Chairman shall forward the list of four persons elected in accordance with the foregoing provisions to the Central Government and that Government shall nominate the said persons under clause (f) of Section 4 of the Act as the representatives of the medical faculties on Indian Universities.

[No. 17-34/56-P(H.II).]

New Delhi, the 6th November 1956

S.R.O. 2688.—In exercise of the powers conferred by sub-section (2) of section 1 of the All-India Institute of Medical Sciences Act, 1956 (25 of 1956), the Central Government hereby appoints the 15th day of November, 1956, as the date on which the said Act shall come into force.

[No. 17-34/56-P.(HII).]

N. B. CHATTERJI, Dy. Secy.

New Delhi, the 9th November 1956

S.R.O. 2689.—The Bihar Pharmacy Council having elected, in exercise of the powers conferred by clause (g) of section 3 of the Pharmacy Act, 1948 (8 of 1948), Dr. Sheo Bihari Lal, Government Analyst, Bihar Drugs Control Laboratory, Patna, as a member representing it in the Pharmacy Council of India, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Health No. F.7-26/53-DS, dated the 23rd June, 1954, namely:—

In the said notification—

- (1) Under the heading "Elected by the State Pharmacy Councils under clause (g)", after entry "19. Dr. K. N. Gaind, B.Sc., Ph.D., F.R.I.C., A.I.I.Sc., Lecturer

in Pharmaceutics, Medical College, Amritsar", the following entry shall be inserted namely:—

20. Dr. Sheo Bihari Lal, Government Analyst, Bihar Control Laboratory, Patna-4."

(2) Under the heading "Nominated by State Governments under clause (g) read with the proviso to Section 3 and holding office by virtue of Section 7(1) until successors are elected by the members of the State Pharmacy Councils concerned".

(i) The entries 20 and 21 shall be re-numbered as 21 and 22.

(ii) The existisg entry 22 shall be omitted.

[No. F.7-54/56-D.]

T. V. ANANTANARAYANAN, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 6th November 1956

S.R.O. 2690.—In exercise of the powers conferred by section 21 of the Indian Merchant Shipping Act, 1923 (21 of 1923), the Central Government hereby makes the following further amendments in the Rules to regulate the granting of Certificates of Competency to Masters and Mates in the Mercantile Marine published with the notification of the Government of India in the Ministry of Transport No. S.R.O. 1865, dated the 12th June, 1954, namely:—

In the said rules—

1. For rule 27, the following shall be substituted, namely:—

"27. *Master (foreign-going).*—*A candidate must not be less than twenty-three years of age, and must have served the equivalent of seven years at sea in foreign-going ships (see Chapter IV). This period of service must include either—

- (a) Eighteen months as First Watch-keeping officer of a foreign-going ship where the officer is next in seniority to the Master; or
- (b) Twenty-one months as First Watch-keeping officer of a foreign-going ship where the officer is not next in seniority to the Master; or
- (c) Twenty-one months as Second Watch-keeping officer of a foreign-going ship carrying only two watch-keeping officers; or
- (d) Twenty-four months as Second or Third Watch-keeping officer of a foreign-going ship carrying more than two Watch-keeping officers; or
- (e) Two years and three months in a capacity not lower than that of First Mate of a home trade ship;

whilst holding a certificate of grade not lower than that of First Mate of a foreign-going ship; or

- (f) Three years as Master of a home trade ship; during at least one year of this service, the candidate must have held a certificate of grade not lower than that of Second Mate of a foreign-going ship or Master of a home trade ship.

(See also Rule 38 for conditions under which service as Second Mate and Third Mate of a home trade ship may be accepted).

For interpretation of Watch-keeping service for the purpose of these Rules see Rule 41."

2. For rule 51, the following rule shall be substituted, namely:—

"51. *Training Ships.*—One half the time served after the age of 14 on board an approved training ship will be allowed to count as qualifying sea service, subject to the limit specified in respect of each training ship in rule 52, provided that the candidate can produce a satisfactory certificate from the appropriate Committee or Captain Superintendent testifying to his good conduct and proficiency up to the time of leaving the ship. Training ship service will not be regarded as equivalent to service in square-rigged vessels.

A list of approved training ships and the amount of time allowed in each case is given in Appendix I".

3. In Appendix A under sub-head (B) the words and the bracket "(other than Belfast)" shall be omitted.

4. In Appendix B under sub-head (B)—

(i) for the first paragraph the following paragraph shall be substituted namely:—

"A list showing the ports at which sight test are held and the days of examination is appended. A candidate who wishes to have his sight tested at any of these ports other than Liverpool should apply to the Superintendent of the Mercantile Marine Office at the port concerned. At Liverpool application should be made to the Marine Survey Office at the address given below. The normal hours for the sight tests are 9.30 A.M. to 12.30 P.M. and wherever possible candidates should attend between those hours. A candidate who lives at a distance from the port and cannot attend before 12.30 P.M. should apply in writing to the Superintendent for a special appointment."

(ii) in the entry relating to "Aberdeen" for the words "Second Friday in every month" the words and figure "Second Friday in every month at 2 P.M." shall be substituted.

(iii) in the entry relating to "Fleetwood" for the words "By appointment" the words and figures "Every Tuesday at 10.30 A.M." shall be substituted.

(iv) below the entry relating to "Glasgow" the following entry shall be inserted, namely:—

"Great Yarmouth—By appointment".

(v) in the entry relating to "South Shields" the words and figures "at 9.30 A.M." shall be omitted.

(vi) the entry "Yarmouth—By appointment" shall be omitted.

5. In Appendix I—

(a) for the entries under sub-head 'B' the following shall be substituted, namely:—

"South African Nautical College, General Botha.

Pangbourne.—Nautical College, Pangbourne, Berks.

Liverpool.—The H.M.S. 'Conway' Merchant Navy Cadet School, Nautilus House, 6, Rumford Place, Liverpool 3.

Elgin.—Gordonstoun School, Elgin, Morayshire

Half time to count up to a maximum of twelve months.

Liverpool.—Idefatigable and National Sea Training School for Boys, Liverpool.

Cardiff.—Reardon Smith Nautical College, Cardiff.

Half time to count up to a maximum of six months.

Southampton.—School of Navigation, University College, Warsash, Southampton.

Full time to count to a maximum of nine months."

(b) under sub-head 'C'—

(i) after the entry relating to "Cardiff" the following entry shall be inserted, namely:—

"Dundee.—Dundee Technical College, Bell Street, Dundee".

(ii) for the entry relating to "Hull", the following shall be substituted, namely:—

"Hull.—Kingston-upon-Hull High School for Nautical Training, Boulevard, Hull; Trinity House Navigation Schools, Hull; Kingston-upon-Hull Nautical College, Boulevard, Kingston-upon-Hull."

(iii) in the entry relating to "Stornoway" for the word "Lewis" the word "Lews" shall be substituted.

6. In Appendix J—

(a) in the table after the entry relating to Straits Settlements, the following entry shall be inserted, namely:—

"Republic of Ireland	Department of Industry and Commerce	Master ; 1st mate ; 2nd mate ; Home-Trade Passenger-ship Master ; Mate.	11th May, 1954	27th May, 1954."
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(b) in the footnote relating to "Bombay" and "Bengal" after the words "Government of India" at the end, the following words shall be inserted, namely:—

"The Order-in-Council now applies equally to Pakistan. The Government of Pakistan, however, have not yet introduced examinations for certificates of Imperial Validity."

[No. 67-MA(18)/55.]

(Transport Wing)**CORRIGENDA****MERCHANT SHIPPING**

New Delhi, the 29th October 1956

S.R.O. 2691.—In the Annexure to the Resolution of the Ministry of Transport No. S.R.O. 1808, dated the 2nd August, 1956, published in Part II—Section 3 of the *Gazette of India*, dated the 11th August, 1956:—

- (1) In the blank space between the words "Shriwardhan" and "Dabhol" under the column "From Ports" in Schedule II, the word "Harnai" shall be inserted.
- (2) For the word "Panhalji", below the line under 'Gwalkote' under the column "From Ports" in Schedule II, the word "Karbhone" shall be substituted.
- (3) Against the word "Boria" under the column "From Ports" in Schedule III, for the figure "1.0" under the column "Palshet", the figure "1.2" shall be substituted.
- (4) Against the word "Kharepatan" under the column "From Ports" in Schedule III:
 - (a) for the figure "4.3" under the column "Boria", the figure "5.3" shall be substituted.
 - (b) for the figure "2.", under the column "Ranpar", the figure "2.4" shall be substituted.

[No. 35-MS-(28)/56.]

S. K. GHOSH, Dy. Secy.

MINISTRY OF PRODUCTION

New Delhi, the 7th November 1956

S.R.O. 2692.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following amendments to the Colliery Control Order, 1945, as continued in force by section 16 of the said Act:—

1. (1) This Order may be called the Colliery Control (Amendment) Order, 1956.

(2) It shall come into force at once and shall cease to have effect on the 31st day of May, 1957.

2. In the Colliery Control Order, 1945, after clause 4, the following clause shall be inserted, namely:—

"4A. Where any colliery owner or any person acting on his behalf sells, agrees to sell or offers to sell any dust coal or slack coal to the Government of the State of West Bengal solely for the purpose of being

supplied to persons affected by floods in that State and where any notification issued in exercise of the powers conferred by clause 4 is for the time being in force fixing the prices, at which dust coal or slack coal may be sold, then, notwithstanding anything contained in the notification, the price to be charged for such sale to the Government of West Bengal shall, in respect of each grade of coal, be one rupee six annas less per ton of 2240 lbs. than the price fixed in the said notification for dust coal or slack coal."

[No. 4-CI(29)/56.]

A. NANU, Dy. Secy.

MINISTRY OF COMMUNICATIONS

(Posts & Telegraphs)

New Delhi, the 8th November 1956

S.R.O. 2693.—In exercise of the powers conferred by Section 7 of Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

After the third proviso of rule 2-A of the said Rules, the following proviso shall be added, namely:—

"Provided further that for parcels requiring air transmission only between Silchar and Imphal the following surcharge shall be levied in addition to the ordinary postage:—

For a weight not exceeding 40 tolas..... one anna.

For every 40 tolas or fraction thereof exceeding 40 tolas..... one anna."

[No DA.15-8/56.]

V. M. BHIDE, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 1st November 1956

S.R.O. 2694.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), and in supersession of the earlier notifications in so far as they relate to the appointment of the persons mentioned in column (2) of the schedule hereto annexed, the Central Government hereby appoints with effect from the 1st November, 1956, the said persons to be the officers designated in the corresponding entries in column (3) of the said Schedule, for the purpose of performing the functions assigned to them by or under the said Act.

THE SCHEDULE

Serial No.	Name of the person appointed	Official designation of person appointed
(1)	(2)	(3)
1.	Shri Dwarka Das Suri	Additional Settlement Commissioner.
2.	Shri S. M. Seth	Additional Settlement Commissioner.
3.	Shri Tara Chand	Additional Settlement Commissioner.

[No. 16/2/56-S II.]

New Delhi, the 8th November 1956

S.R.O. 2695.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoints Shri M. T. Mansukhani an Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No F 7/26/56 SII Pt III]

S.R.O. 2696.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri S. Hardev an Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post

[No. F 7/26/56-S II-Pt III]

S.R.O. 2697.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) and in supersession of the earlier notifications in so far as they relate to the appointment of Shri Tara Chaud, the Central Government hereby appoints the said person as Settlement Commissioner for the purpose of performing the functions assigned to him by or under the said Act, with effect from the date he takes over charge of his office

[No 5/30/56-SII]

New Delhi, the 9th November 1956

S.R.O. 2698.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Mohan Kumar an Assistant Settlement Officer for the purpose of performing the functions assigned to such officer, by or under the said Act, with effect from the date he took charge of his post

[No F 7/26/56 S II-Pt III]

S.R.O. 2699.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri K. C. Irdicula an Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No F 7/26/56-SII Pt III]

New Delhi, the 12th November 1956

S.R.O. 2700.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri L. H. Mulchandani an Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post

[No. F 7/26/56-SII-Pt III.]

MANMOHAN KISHAN, Under Secy

New Delhi, the 10th November 1956

S.R.O. 2701.—In exercise of the powers conferred by sub-section (1) of section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government, in consultation with the Custodian General, hereby appoint, for the State of Delhi, Shri Lakshmi Das, as Assistant Custodian of Evacuee Property, for the purpose of discharging the duties imposed by or under the said Act, with effect from the 11th July, 1956

[No XVI-8(29)/55-Prop II]

J J KARAM, Under Secy

DELHI DEVELOPMENT PROVISIONAL AUTHORITY

New Delhi, the 9th November 1956

S.R.O. 2702.—In exercise of the powers conferred by section 4 of the Delhi (Control of Building Operations) Act 1955 (No. 53 of 1955), the Delhi Development Provisional Authority hereby declares the area specified in the schedule below also to be controlled area for the purposes of the said Act.

SCHEDULE

Sl. No.	D.M.C Ward No.	Constituency No.	Locality	House No.
1	3N	2	Hamilton Road	2903
2	3N	2	Mori Gate Bazar near Dufferine Pul	3688
3	3N	2	Kucha Muatter Khan	3782
4	3N	2	Ditto	3784
5	3N	2	Ditto	3778
6	3N	2	Ditto	3699 to 3756
7	3N	2	Ditto	3759 to 3772
8	3N	2	Fasil Road	3896
9	3N	2	Ditto	3895
10	3N	2	Ditto	3887
11	3N	2	Ditto	3879
12	3N	2	Ditto	3878
13	3N	2	Ditto	3877
14	3N	2	Gali Maqbool Press	3828
15	3N	2	Gali Lachho Wali	2972
16	3N	2	Ditto	2973
17	3N	2	Gali Chakki Wali	2990
18	3N	2	Ditto	2991
19	3N	2	Ditto	2995
20	I	2	Ganda Nala	72
21	3N	2	Ditto	3409
22	3N	2	Ditto	3407
23	3N	2	Gali Kasai Wali	3089
24	3N	2	Dhobiwara, Mohd. Ali Bazar	2829
25	3N	2	Ditto	2833
26	3N	2	Ditto	3116
27	3N	2	Mohd. Ali Bazar	3209
28	3N	2	Ditto	3134
29	3N	2	Ditto	3141
30	I	1	Bara Bazar, K. Gate	2845
31	I	1	Katra Dhobian, Bara Bazar	1070
32	I	1	Cali Chosian	1089
33	I	1	Ditto	1100
34	I	1	Gali Prem	1132
35	I	2	Chabi Ganj	756
36	I	2	Ditto	759
37	I	2	Ditto	762
38	I	2	Ditto	765
39	I	2	Ditto	773
40	I	2	Ditto	774
41	I	1	Hamilton Road	979
42	I	2	Ditto	636
43	I	1	Nicholson Road	1390 to 1410
44	I	1	Church Road	1493 to 1570
45	I	1	Gali Tilak, K. Gate	882
46	I	1	Ditto	846
47	I	1	Ditto	840
48	I	1	Dhobiwara, Chhota Bazar	811
49	I	1	Ditto	810
50	I	2	Gali Sherawali, Ganda Nala	178
51	I	2	Ditto	177
52	I	2	Ditto	176
53	I	2	Ditto	503

Sl. No	Ward No.	Constituency No.	Locality	House No.
54	1	2	Gali Baghiciwali	162
55	1	2	Ditto	162/1
56	1	2	Ganda Nala	142
57	1	2	Ditto	135
58	1	2	Ditto	133, 134
59	1	2	Ditto	132
60	1	2	Ditto	510
61	1	2	Ditto	108
62	1	2	Gali Bel Sahab	545
63	2	3	Chandni Chowk.	II-1892
2	2	3	Chandni Chowk Fountain	II-1933
3	2	3	Bisomal Colony	II-1853
4	2	3	Kauria Pul	II-2057 to 2224
5	2	3	Ditto	II-2241
6	2	3	Ditto	II-2248
7	2	3	Ditto	II-2255
8	2	3	Ditto	II-2287
9	2	4	Bagh Diwar	II-695
10	2	4	Ditto	II-9
11	3	5	Naher Saadat Khan	III-858
12	3	5	Ditto	III-1595
13	3	5	Khari Baoli	III-1776
14	3	5	Ditto	III-1815
				III-1832 to 1845
1	4S	6	Chhatta Shah Jee	2498
2	4S	6	Chipi Wara Khund	946
3	4S	6	Ditto	979/80
4	4S	6	Ditto	949
5	4N	6	Chatta Hathi Walan	533
6	4N	6	Dhobi Wara	2129 to 2157
7	4N	6	Kucha Chowdhri	33
8	4N	6	Gali Kunju	239
9	4N	6	Esplanade Road.	547
10	4	6	Gali Jainia	430
11	4	6	Kucha Seth	1554
12	5	7	Haveli Khan Zaman Khan	2023
13	5	7	Ditto	2024
14	5	7	Chatta Dhan Sukh Rai	2740/1
15	5	7	Nai Wara	2518
16	5	7	Chira Khana	2780
17	5	7	Chowk Rai Jee	2726
18	5	7	Katra Khushal Rai	2812 to 42
1	6A	9	Bara Dari Sher Afghan	2625
2	6A	9	Bazar Ballimaran	2730
3	6A	9	Ditto	2688
4	6A	9	Chandni Chowk	681 to 694
5	6A	9	Haveli Haider Qulli	337
6	6A	9	Ditto	404
7	6A	9	Chandni Chowk.	544
8	6A	9	Ditto	4799
9	6B	9	Kandley Kashan	238
10	6B	9	Ditto	240 & 41
11	6B	9	Katra Ghulam Mohd.	1 to 14
12	6B	9	Katra Dhobian Lal Darwaza	1853-54
13	6B	9	Gali Qasam Jan	1492
14	6B	9	Ditto	1451
15	6B	9	Ditto	2280
16	6B	9	Ditto	1407
17	6B	9	Lal Darwaza	2012
18	6B	9	Gali Qasam Jan	1513
19	6B	9	Gali Kandley Kashan	230
20	6C	8	Bazar Ballimaran	4726
21	6C	8	Gali Sani Ram	3205

Sl. No.	Ward No.	Constituency No.	Locality	House No.
22	6C	8	Gali Charan Dass	3739
23	6C	8	Pharak Bala Mal	4686
24	6C	8	Dai Wara	4515
25	6C	8	Ditto	4516
26	6C	8	Nai Sarak	5409 to 5629
27	6C	8	Ditto	5576 to 5608
28	6C	8	Ditto	5533 to 5561
29	6C	8	Ditto	5498 to 5524
30	6C	8	Gali Sattey wali	3966
31	6C	8	Gali Charan Dass	3745
32	6C	8	Gali Chomakha Mandir	3242
33	6C	8	Gali Charan Dass	3222
34	6C	8	Gali Sattey wali	3925
35	6C	8	Nai Sarak	4411
36	6C	8	Gali Shiv Sahai	2992
1	7	10	Farash Khana Phatak Dhobian	701-705
2	7	10	Frash Khana	1237-66
3	7	10	Gali Samosan	1107-9
4	7	10	Gali Rajan	1065
5	7	10	Chah Shiran Gali	909
6	7	10	Ditto	953
7	7	10	Ditto	911
8	7	10	Gali Nawab Mirza	6146
9	7	10	ditto	6225
10	7	10	G. Kinari Wali	202-4
11	7	10	G. Masjid Tehwar Khan	142-59
12	7	10	Gali Sirs Wali	75
13	7	10	Gali Samosan	1165
14	7	10	Masjid Tehwar Khan	99
15	7	10	B.D. Market Masjid Tehwar Khan	6323-59
16	7	10	G. Nawab Mirza	6160
1	7	11	Kucha Pandit	3092-3101
2	7	11	Ditto	3074
3	7	11	Ditto	3062-63
4	7	11	Ditto	{ 3044-52 3040-56 3023-24
5	7	11	Gali Nalwali	2981-86
6	7	11	Shah Ganj	2925-31
7	7	11	Ditto	2921
8	7	11	Ditto	2883
9	7	11	Ditto	2872
10	7	11	Gali Abdul Qadir Fasil Road	2431
11	7	11	Fasil Road	2425
12	7	11	Rodgaran	2191
13	7	11	Ditto	1571
14	7	11	Ditto	1576
15	7	11	Haveli Fatma Bibi	2166
16	7	11	G. Farrat Ullah	3248-58
17	7	11	K. Hakim Wala	3293-94
18	7	11	Gali Sarwar Khan	3327-40
19	7	11	Mohd. Niayarian	2659-77
20	7	11	Katra Niyarian	2652-57
21	7	11	Mohd. Niyarian	2648
22	7	11	Ditto	2578-96
23	7	11	Ditto	2528-40
24	7	11	Ditto	2795
25	7	11	Ditto	2792
26	7	11	Gali Masjid Anarwali	2388-90, 2399-2404
27	7	11	Frash Khana	1457
28	7	11	Ditto	1323
29	7	11	Ditto	1322
30	7	11	Ditto	1321
31	7	11	Ditto	1296-1307

Sl. No.	Ward No.	Constituency No.	Locality	House No.
32	7	11	K. Dina Beg	3628
33	7	11	Ditto	3627
34	7	11	Lal Kuan Bazar	3483
35	7	11	Shah Ganj	2863
36	7	11	Rodgaran Gali Masjid Wali	2381
37	7	11	Gali Nawab Sahib	1468
38	7	11	Lal Kuan Bazar	1957-76
1	7	12	Phatak Bans	5078
2	7	12	Phatak Namak	4874
3	7	12	Ditto	4800-11
4	7	12	Ditto	4827
5	7	12	Ditto	4845
6	7	12	Ditto	4860
7	7	12	Haveli Razia Begum	4676-87
8	7	12	Ditto	4688
9	7	12	Ditto	4753
10	7	12	Ditto	4735
11	7	12	Ditto	4736-48
12	7	12	Gali Mustafa Beg	4054
13	7	12	Gali Bansi Kole Wali	4024
14	7	12	Ditto	4011
15	7	12	Gali Billa Wali	3990
16	7	12	Lambi Gali	5028
17	7	12	Ditto	4505
18	7	12	Ditto	4513
19	7	12	Ditto	4520
20	7	12	Ditto	4491
21	7	12	Ditto	4488
22	7	12	Ditto	4483
23	7	12	Ditto	4528
24	7	12	Gali Faizul Hasan	4176-85
25	7	12	Ditto	4213
26	7	12	Ditto	4205
27	7	12	Ditto	4212
28	7	12	G. Shah Tara	4282-86
29	7	12	Gandi Gali	3898
30	7	12	G. Shah Ganj	4395
31	7	12	Ditto	4375
32	7	12	Ditto	4370
33	7	12	Shish Mahal	4561
34	7	12	Shah Tara	4618
1	8A	13	Gali Shish Mahal	482
2	8A	13	Mohalla Kirore	277
3	8A	13	Ditto	256
4	8A	13	Ditto	266
5	8A	13	Ditto	244
6	8A	13	Gali Banduk	109
7	8A	13	Ditto	90
8	8A	13	Gali Kundewalan	698
9	8A	13	Ditto	692
10	8A	13	Ditto	746
11	8A	13	Ditto	760
12	8A	13	Ditto	681
13	8A	13	Gali Babu Ram Mohalla Imli	1196
14	8A	13	Mohalla Imli	1212
15	8A	13	Chowk Shah Mubarak	1333-78
16	8A	13	Ditto	1756-69
17	8A	13	Ditto	1749
18	8A	13	Ditto	1690-1727
19	8A	13	Namdey Walan	1662
20	8A	13	Gali Raja Ugarsain	2014
21	8A	13	Fasil Road	1327
22	8A	13	Katra Hussain Bax, Hauz Qazi	311-318
23	8B	14	Katra Gokal Shah	2132

Sl. No.	Ward No.	Constituency No.	Locality	House No.
24	8B	14	Katra Gokal Shah	2137
25	8B	14	Ditto	2078
26	8B	14	Ditto	2076
27	8B	14	Ditto	2076
28	8B	14	Ditto	2081
29	8B	14	Ditto	2109
30	8B	14	Ditto	2093
31	8B	14	Moh. Khaksaran	2383
32	8B	14	Ditto	2497
33	8B	14	Gali Arya Samaj	2785
34	8B	14	Gali Ravi Dass, Mohalla Khaksaran	2740
35	8B	14	Bazar Sita Ram	1421
36	8B	14	Ditto	2037
37	8B	14	Ditto	1097
38	8B	14	Ditto	2059
39	8B	14	Ditto	2208
40	8B	14	Aqab Kalan Masjid	2228
41	8B	14	Ditto	2284
42	8B	14	Ditto	2280
43	8B	14	Ditto	2507
44	8B	14	Ditto	2513
45	8B	14	Ditto	2461
46	8B	14	Hindu Wara	2519
47	8B	14	Ditto	2809
48	8B	14	Ditto	2810
49	8B	14	Phatak Telian	3335
50	8B	14	Ditto	3362—8r
51	8B	14	Anguri Ghatta	3416
1	9A	15	Bar Shabullah	89
2	9A	15	Gali Patashan	184
3	9A	15	Kucha Mir Ashiq	249
4	9A	15	Ditto	262
5	9A	15	Ditto	263A
6	9A	15	Ditto	264
7	9A	15	Lal Darwaza	3145
8	9A	15	Ditto	3147
9	9A	15	Gali Raja Soahan Lal	3047
10	9A	15	Ditto	3046
11	9A	15	Kucha Kashgari	3328
12	9A	15	Sarak Prem Narain	3866
13	9A	15	Chawari Bazar	346
14	9A	15	Chitla Gate	441
15	9A	15	Ditto	491
16	9A	15	Chooriwalan	872
17	9A	15	Ditto	652
18	9A	15	Ditto	3739
19	9A	15	Sita Ram Bazar	3022
1	9B	16	Haveli Bakhtwawr Khan	1078
2	9B	16	Ditto	1030
3	9B	16	Ditto	1044
4	9B	16	Ditto	1037
5	9B	16	Pahari Rajan	1508
6	9B	16	Ditto	1485
7	9B	16	Bubli Khana	2883
8	9B	16	Ditto	2882
9	9B	16	Ditto	2847
10	9B	16	Ditto	2849
11	9B	16	Ditto	2900
12	9B	16	Katra Dina Nath	2664
13	9B	16	Haveli Bakhtawar Khan	1096 to 1104
14	9B	16	Ditto	1013

Sl. No.	Ward No.	Constituency No.	Locality	House No.
1	10	20	Chandni Mahal	838
2	10	20	Ditto.	840
3	10	20	Ditto.	662 to 663
4	10	20	Ditto.	692
5	10	20	Kucha Rohilla Khan	910
6	10	20	Sui Walan	758
7	10	20	Ditto.	759
8	10	20	Ditto.	772
9	10	20	Gali Kotan Suiwalan	1500
10	10	20	Kamra Bangash Suiwalan	808
11	10	20	Bazar Chitli Kabar	1362
12	10	20	Turkman gate	2116
13	10	20	Ditto.	2111
14	10	20	Ditto.	2086
15	10	20	Ditto.	2082
16	10	20	Ditto.	2083
17	10	20	Ganj Mir Khan	2077
18	10	20	Kalyan Pura	2063 to 66
19	10	20	Raqab Ganj	1168
20	10	20	Ditto.	1178 to 1182
21	10	20	Ditto.	1298
22	10	20	Ditto.	1321
23	10	20	Ditto.	1281
24	10	20	Ditto.	1297
25	10	20	Ganj Mir Khan	1100 to 1114 560 to 566
26	10	20	Shish Mahal	631
1	11	17	Moh. Garhaya	353
2	11	17	Ditto.	357
3	11	17	Chatta Chuhia Mem.	647—52
4	11	17	Kucha Faulad Khan	1120
5	11	17	Kalan Mahal	1459
6	11	17	Ditto.	1464
7	11	17	Basti Ch'hotey Ram	1476
8	10	19	Chhatta Lalmian	26
9	10	19	Gali Tehsildarwali	1714
10	10	19	Kucha Dakhni Rai	1734
11	10	19	Ditto.	1769
12	10	19	Khaspura	1770
13	10	19	Qaziwara	3030
14	11	17	Kalan Mahal	1800
15	11	19	Qaziwara	3040
16	11	19	Kucha Seadullah Khan	3076
17	11	19	Kucha Tara Chand	3100
18	17	19	Kucha Tara Chand	3101
19	17	19	Kucha Jalal Bokhari	3336 to 52
20	17	19	Ditto.	3318
21	17	19	Delhi Gate	3370
22	17	19	Ditto.	3382
23	17	19	Ditto.	3453
24	17	19	Kucha Chetan	2870
25	17	19	Delhi Gate	3387
26	10	19	Chhatta Lalmian	18
27	10	19	Katra Sujana Rai	299
28	10	19	Chatta Lalmian	30
29	11	18	Darya Ganj	4570
30	11	18	Ditto.	4850
31	11	18	Masjid Ghata	4414-15
32	11	18	Ditto.	4414-15
33	11	19	3454 Delhi Gate	3454
34	11	19	Delhi Gate	3277
35	11	19	Jatwara	3545
36	11	19	Ditto.	3563

Sl. No.	Ward No.	Const. No.	Locality	Horse No.
37	II	19	David Street	3810
38	II	19	Kucha Chelan	2266 to 77
39	II	19	Ditto.	2390
40	II	18	Darya Ganj	4448 to 4459
41	II	19	Tiraha Beharam Khan	3119
42	II	19	Old Mandi Phool	2590
43	II	17	Kucha Faulad Khan	1154
44	II	17	Kalan Mahal	1487
45	II	17	Khirki Taffzul Hussain	3867
46	II	17	Gali Cinema Wali	3910
47	II	17	Gali Khankhana	4030
1	12 II	21	Prem Nagar,	7371
			Subzimandi	
2	12 II	21	Prem Nagar	7364
			Subzimandi	
3	12 II	21	Ditto.	7378
4	12 II	21	Ditto.	7381
5	12 II	21	Ditto.	7383
6	12 II	21	Mata Mandir	5268
			Subzimandi	
7	12 II	21	Chowk Ma a Mandir Roshanara Road, Subzimandi.	4906
8	12 II	21	Ditto.	4974
9	12 II	21	Ditto.	
10	12 II	21	Bas i Chamaran, Phule Wali Basti, Arya Pura, Subzimandi	3249
11	12 II	21	Basti Chamaran, Aryapura Subzimandi	3248
12	12 II	21	Ditto.	3244
13	12 II	21	Chamarbara, Subzimandi	3217
14	12 II	21	Ditto.	2124
15	12 II	21	Subzimandi	2406
16	12 II	21	G. T. Road, Subzimandi	5126
17	12 II	21	Ditto.	7699
18	12 II	21	Roshanara Road Subzimandi	7752
19	12 II	21	Ditto.	7744
20	12 II	21	G. T. Road. Subzimandi	7667
21	12 II	21	Roshanara Road, Subzimandi	7754 to 7770
22	12 II	21	Gali Kakwan, Subzimandi	2360
23	12 II	21	Gali Kakwan, Subzimandi	2361 to 2370
24	12 II	21	Basti Panjabian Subzimandi	2644 to 2645
25	12 II	21	Katra Aggarkhan, Subzimandi	3203
26	12 II	21	Gali Kumaharan Basti Panjabian Subzimandi	2398 to 2400
27	12 II	21	Chamar Wara, Subzimandi	3220
28	12 II	21	Ditto.	3215 to 3219
29	12 II	21	Ditto.	3226 to 3240
30	12 II	21	Ditto.	3246
31	12 II	21	Ditto.	2965 to 2969
32	12 II	21	Ditto.	2979 to 2980
33	12 II	21	Ditto.	2985 to 3001
34	12 II	21	Ditto.	3009 to 3013
35	12 II	21	Ditto.	3026 to 3032
36	12 II	21	Ditto.	3033 to 3044
37	12 II	21	Tatti Bara Subzimandi	4903
38	12 II	21	Ditto.	4904
39	12 II	21	Ditto.	4905
40	12 II	21	Ditto.	4897 to 4900
41	12 II	21	Ditto.	4877 to 4890
42	12 II	21	Ditto.	4928 to 4964
43	12 II	21	Gali Khatian, Arya Pura Subzimandi	4307
44	12 II	21	Gali Khalsa Bhaijan S. Mandi, near Vaccination Centre	2938

Sl. No.	Ward No.	Const. No.	Locality	House No.
1	12 I	22	Chandrawal Road Kohla Pur House	5325-5327
	12 I	22	Chandrawal village	5675, 5696, 5716, 5718, 5503, 5724, 5727, 5726, 5506, 5509, 5524, 5532, 5529, 5535, 5537, 5551, 5515, 5759, 5510, 5760, 5483, 5761, 5800, 5799, 5762-65, 5793-96, 5791, 5757, 5805, 5480, 81, 5811, 5808, 5457, 5478, 5465, 5784, 5466, 5446, 5449, 55, 5405, 5341, 88, 5367 10, 5408, 6845-93, 5241.
1	12 III	23	G. T. Road	28-36
2	12 III	23	Ditto.	38
3	12 III	23	Ditto.	43-45
4	12 III	23	Ditto.	54
5	12 III	23	Ditto.	61-62
6	12 III	23	Ditto.	72-76
7	12 III	23	Ditto.	91
8	12 III	23	Ditto.	102
9	12 III	23	Ditto.	118
10	12 III	23	Ditto.	149-57
11	12 III	23	Malka Ganj Road	142
12	12 III	23	G. T. Road	218
13	12 III	23	Ditto.	242
14	12 II	23	Ditto.	262-311
15	12 III	23	Gali Abdul Razaq	330
16	12 III	23	Ditto.	Opp. 330
17	12 III	23	Gali Cinema Wali	366
18	12 III	23	G. T. Road	390-92
19	12 III	23	Ditto.	193-217
20	12 III	23	Gali Abdul Razaq	338
21	12 III	23	G. T. Road	476
22	12 III	23	Ditto.	477
23	12 III	23	Gali Datwali	401-17
24	12 III	23	Gali Mangla Kumar	417-26
25	12 III	23	Malka Ganj	506
26	12 III	23	Chowk Umberav	514
27	12 III	23	Gali Giraza	586
28	12 III	23	Ditto.	590
29	12 III	23	Mohalla Makimpura	567
30	12 III	23	Ditto.	543-64
31	12 III	23	Ditto.	639-62
32	12 III	23	G. T. Road	683
33	12 III	23	Makim Pura	704
34	12 III	23	Malka Ganj	787
35	12 III	23	Gali Ganesh	1294-1313 1359-99 1324-57 1239 1420 1421 1440-58 1506-14 1581-94 1819 1868 1871 1876
36	12 III	23	Kothi Shora	
37	12 III	23	Gali Dharam Shala	
38	12 III	23	Ditto.	
39	12 III	23	Shora Kothi	
40	12 III	23	Chendrawal Road	
41	12 III	23	Kothi Shora	
42	12 III	23	Malka Ganj	
43	12 III	23	Ditto.	
44	12 III	23	Ditto.	
45	12 III	23	Ditto.	

Sl. No.	Ward No.	Const. No.	Locality	House No.
46	12 III	23	Ditto.	1887-96
47	12 III	23	Ditto.	1818
48	12 III	23	Ditto.	1821
49	12 III	23	Ditto.	1856
50	12 III	23	Gali Ahiran	1903
51	12 III	23	Ditto.	1908-15
52	12 III	23	Ditto.	1932
53	12 III	23	Ditto.	1970
54	12 III	23	Ditto.	1917
55	12 III	23	Ditto.	1978
56	12 III	23	Malka Ganj	2015
57	12 III	23	Ditto.	2016-26
58	12 III	23	Ditto.	2047-48
59	12 III	23	Ditto.	2045-46
60	12 III	23	Ditto.	2039
61	12 III	23	Ditto.	2044
62	12 III	23	Ditto.	2051
63	12 III	23	Makim Pura	2052
64	12 III	23	Ditto.	2075
65	12 III	23	Ditto.	2080
66	12 III	23	Kethi. Shora	2146
67	12 III	23	Ditto.	2150
68	12 III	23	Ditto.	2210
69	12 III	23	Ditto.	2212
70	12 III	24	Gali Kartar Singh	3447
71	12 III	24	Ditto.	3455-59
72	12 III	24	Ditto.	3475 & 3591
73	12 III	24	Ditto.	3472-74
74	12 III	24	G. T. Road	3528
75	12 III	24	Gali Thane Wali	3692
76	12 III	24	Roshanara Road	3698-3701 3706-07
77	12 III	24	Ditto.	3708-17
78	12 III	24	Ditto.	3718- & 3723
79	12 III	24	Ditto.	3719-23
80	12 III	24	Ditto.	3726 3728-32
81	12 III	24	Ditto.	3733-44
82	12 III	24	G. T. Road	3755-90
83	12 III	24	Ditto.	3792
84	12 III	24	Ditto.	3798
85	12 III	23	Ditto.	3807
86	12 III	24	Ditto.	3855
87	12 III	24	Roshanara Road	3919
88	12 III	24	Ditto.	3972
89	12 III	24	Mina Bagh	4091-94 3594-3608
90	12 III	24	Gali Back Arya Samaj	4117-18
91	12 III	24	Gali Jain Mandir	4143-48
92	12 III	24	Ditto.	4150-51
93	12 III	24	Gali Kartar Singh	4157
94	12 III	24	Gali Chanda Singh	4244-54
95	12 III	24	Beri Basti Lodhan	4267-70
96	12 III	24	Gali Ghoyasian No. 1	4400-28
97	12 III	24	Gali Ghoyasian No. 2	4430-54
98	12 III	24	Gali Ghasiaryan	4468-89 1/2 of 4490
99	12 III	24	Ditto.	4467, 1/2 of 4490; 44491-4515
100	12 III	24	Ditto.	3516
101	12 III	24	Ditto.	4527
102	12 III	24	Gali Sunder Singh	4572-73
103	12 III	24	Ditto.	4587-4601
104	12 III	24	Ditto.	4607

Sl. No.	Ward No.	Const. No.	Locality	House No.
105	12 III	24	Ditto.	4608
106	12 III	24	Ditto.	4609
107	12 III	24	Arka Pura	4616
108	12 III	24	Ditto.	4618—19
109	12 III	24	Mina Bagh	4638
110	12 III	24	Gali Khosyal	4521, 4700—17
111	12 III	24	Roshanara Road	4735
112	12 III	24	Ditto.	4737—40
113	12 III	24	Ditto.	4749—70 } 4775—81 }
114	12 III	24	Ditto.	4743
115	12 III	24	Gali Gharsyan	4787
116	12 III	24	Ditto.	4791—4892
117	12 III	24	Ditto.	4790
118	12 III	24	Gali Jatav, Mata Mandir	4825—33
119	12 III	24	Ditto.	4840—44
120	12 III	24	Ditto.	4843
121	12 III	24	Chowk Mata Mandir	4855
1	XII	25	Glinka Road near Roshanara Road	7797/12
2	XII	25	Gali Miss Graham Roshanara Road near Chowk Mata Mandir	7814/12
3	XII	25	Ditto.	7817/12
4	XII	25	Roshanara Road	7821/12
5	XII	25	Ditto.	7822/12
6	XII	25	Ditto.	7823/12
7	XII	25	Ditto.	7824—52/12
8	XII	25	Dina Nath Road	7883 to 7947/12
9	XII	25	Ditto.	8140/12
10	XII	25	Kharian Mohalla	8021/12
11	XII	25	Ditto.	8029/12
12	XII	25	Ditto.	8067/12
13	XII	25	Ditto.	7989—94/12
14	XII	25	Ditto.	8228/12
15	XII	25	Roshanara Road	8146—8208/12
16	XII	25	Ditto.	8209—15/12
17	XII	25	Ditto.	8245—66/12
18	XII	25	Ditto.	8274—8314/12
19	XII	25	Ditto.	8315—34/12
20	XII	25	Delhi Flour Mills Road	8349—58/12
21	XII	25	Ditto.	8359—58/12
22	XII	25	Ditto.	11294—12432
23	XII	25	Roshanara Road	8384—88 8395—98/12
24	XII	25	Ditto.	8307—27/12
25	XII	25	Gali Abdullah Beg	8504/12
26	XII	25	Ditto.	8506/12
27	XII	25	Ditto.	8507/12
28	XII	25	Ditto.	8508/11/12
29	XII	25	Roshanara Road	8518/12
30	XII	25	Ditto.	8528/12
31	XII	25	Bhargarh	8611—16/12
32	XII	25	Aram Ganj Roshanara Road	8707—11/12
33	XII	25	Ditto.	8721—36/12
34	XII	25	Ditto.	8742/12
35	XII	25	Ditto.	8758—63/12
36	XII	26	Pul Bangash	8793/12
37	XII	26	Naya Mohalla	8958/12
38	XII	26	Gali Zamir Wali	9078/12
39	XII	26	Ditto.	9082/12
40	XII	26	Ditto.	9106—19/12
41	XII	26	Ditto.	9134—37/12
42	12	26	Ditto.	9154/12
43	12	26	Ditto.	9175/12
44	12	26	Islam Ganj	9637 to 9643/12

Sl. No.	Ward No.	Consty. No.	Locality	House No.
45	12	26	Gali Neem Wali Nawab Ganj	9713/12
46	12	26	Ditto.	9739/12
47	12	26	Ditto.	9746/12
48	12	26	Ditto.	9747/12
49	12	26	Ditto.	9718/12
50	12	26	Gali Neel Wali	9755/12
51	12	26	Gali Nal Wali	9982/12
52	12	26	Nawab Ganj	10058/12
53	12	26	Pull Bangash	10076/12
54	12	26	Library Road	10115/12
1	13	26	Gali Miya, Bagh Beri Wala	6892
2	13	26	Gali Patna Wali Bagh Beri Wala	7188
3	13	26	Gali Ishwari Pershad, Bara Hindu Rao	6447
4	13	26	Khari Kuan	3878
5	13	26	Ditto.	3926
6	13	26	Ditto.	3164
7	13	26	Ditto.	3141
8	13	27	Bahadargarh Road	3263
9	13	27	Ditto.	3256
10	13	27	Ditto.	3024
11	13	27	Ditto.	1615
12	13	27	Aziz Ganj	1473
13	13	27	Gali Maman Jamadar	3197
14	13	27	Ditto.	3704
15	13	27	Ditto.	3133
16	13	27	Ditto.	3132
17	13	27	Ditto.	3204
18	13	28	Gali Pahia Wali	2368-69
19	13	28	Ditto.	2370-72
20	13	28	Ditto.	2426-45
21	13	28	Gali Inder Chamar	2117-19
22	13	28	Ditto.	2173
23	13	28	Kishan Chowk	2682-2713
24	13	28	Gali Mahabir	2065-66
25	13	28	Chowk Kishan Ganj	2739
26	13	28	Gali Pinhari	406 to 413
27	13	28	Tokari Wala	9530
28	13	28	Ditto.	9222
29	13	28	Library Road	10293 and 10294
30	13	28	Gali Mill Wali	10263
31	13	28	Tokari Wala	9323
32	13	29	Gali Ahiran	3965
33	13	29	Ditto.	3988
34	13	29	Ditto.	3998
35	13	29	Ditto.	3087
36	13	29	Ditto.	4006
37	13	29	Ditto.	4257
38	13	29	Ditto.	4266
39	13	29	Ditto.	4287
40	13	29	Ditto.	4361
41	13	29	Ditto.	4245
42	13	29	Ditto.	4367 to 4418
43	13	29	Ditto.	4433 to 4451
44	13	29	Mandi Rool	5043 to 5101
45	13	28	Teliwara	2547
46	13	28	Medgunj	2242-84
1	14-E	34	Qutab Road, Opp. Tonga Stand	3549
2	14-E	34	Gali Chulsh Wali	1414-18
3	14-E	34	Gali Dakotan	1423-24
4	14-E	34	Gali Lallu Misser	1530
5	14-E	34	Gali Ghosian	1379
6	14-E	34	Bazar Chhoti Khirki near Library	1592
7	14-E	34	Ditto.	1580
8	14-E	34	Takia Tawakal Shah	3669

Sl. No.	Ward No.	Consty. No.	Locality	House No.
9	14-E	34	Road Sarai Khalil . . .	3366
10	14-F	34	Ditto.	2892
11	14-E	34	Gali I allu Misser . . .	3405 to 3435
12	14-E	34	Gali Chuleh Wali . . .	2154
13	14-E	34	Sarai Khalil . . .	2893 to 3155
14	14-E	34	Bazar Chhori Khirki . . .	1556
15	14-E	34	Ditto.	1559
16	14-E	34	Gali Chuleh Wali . . .	1488
17	14-E	34	Ditto.	1437
18	14-F	33	Nawab Road Basti Harphool Singh	6130
19	14-E	33	Ditto.	6181
20	14-E	33	Gali Garhia Qassab Pura . . .	7282
21	14-E	33	Ditto.	7140
22	14-E	30	Moh. Jatwara . . .	4471
23	14-F	30	Gali Barna . . .	4256
			Moh. Jatwara	
24	14-E	30	Gali Barna . . .	4285 to 4313
25	14-E	30	Ditto.	4150 to 7174
26	14-E	30	Pech Chamaran . . .	757 to 804 & 1127 to 1145
27	14-E	30	Kat Bazar . . .	928
1	14/W	30	Ahata Kidara . . .	4754
2	14/W	30	Ditto.	4775
3	14/W	30	Ditto.	4785
4	14/W	30	Bara Hindu Rao, Tram Rd.	4870
5	14/W	33	Gali Kumaharan-Mandi Ghas	6976 to 6988
6	14/W	31	Chamelian Road . . .	7784
7	14/W	31	Ditto.	7786
8	14/W	31	Chimney Mill . . .	8103
9	14/W	31	Ditto.	8108
10	14/W	31	Ditto.	8123
11	14/W	31	Ditto.	8198
12	14/W	31	M. M. Road . . .	8238 to 8281
13	14/W	31	Ditto.	8282 to 8341
14	14/W	31	Ditto.	8355
15	14/W	31	Model Basti . . .	8608
16	14/W	32	Double Phatak Road . . .	9340
17	14/W	32	Ditto.	9369-71 } 9373-75 }
18	14/W	32	Ditto.	9372
19	14/W	32	Ditto.	9383
20	14/W	32	Bagh Rao Ji . . .	9397-9491 } 9653-9706 }
21	14/W	32	Ditto.	9493-9537
22	14/W	32	Ditto.	9538-9587
23	14/W	32	Double Phatak Road . . .	9713
24	14/W	32	Ditto.	9721
25	14/W	32	Ditto.	9725
26	14/W	32	Ditto.	9739-10083
27	14/W	32	Bhagat Singh Nagar. . .	10187
28	14/W	32	Ditto.	10188
29	14/W	32	Ditto.	10190
30	14/W	32	Ditto.	10212
31	14/W	32	Ditto.	10218
32	14/W	32	Ditto.	10219
33	14/W	32	East Park Road . . .	10127-71
34	14/W	32	Manakpura . . .	10497
35	14/W	32	Ditto.	10500
36	14/W	32	Ditto.	10613-14
37	14/W	32	Ditto.	10746
38	14/W	32	Ditto.	10772-95
39	14/W	32	Doriwalan . . .	11255
1	15 SA	41	Phatak Misri Khan . . .	1562
2	15 SA	41	Katra Sri Ram . . .	2232
3	15 SA	41	Katra S. Jagjit Singh . . .	2527

Sl. No.	Ward No.	Constituency No.	Locality	House No.
4	15 SA	41	Nalwa Street	3213
5	15 SB	39	Bazar Sangtrashan	1352
6	15 SB	39	Ditto	1366
7	15 SB	39	Main Bazar, Pahar Ganj	9
8	15 SB	39	Ditto	15
9	15 SB	39	Katra Dhobian	87
10	15 SB	39	Katra Ashrafi	93
11	15 SB	39	Mantola	273
12	15 SB	39	Ditto	298-309
13	15 SB	39	Katra Sri Ram	413-20
14	15 SB	39	Katra Shankar Niwas	466
15	15 SB	39	Katra Bhura Ghosi	480
16	15 SB	39	Katra Babu Ram	486
17	15 SB	39	Katra Qamaruddin	487
18	15 SB	39	Katra Mansa Ram	498
19	15 SB	39	Katra Jaimi Lal Mal	534
20	15 SB	39	Katra Kapurian	552
21	15 SB	39	Gali Kaith Wali	592
22	15 SB	39	Ditto	579
23	15 SB	39	Katra Abasia	681-719
24	15 SB	39	Gali Door Wali	770
25	15 SB	39	Gali Door Wali	771
26	15 SB	39	M. Mantola	857
27	15 SB	39	Mantola	926
28	15 SB	39	Katra Bhagwan Dass	4055
29	15 SB	39	Katra Bhagwati Bhawan	4196
30	15 SB	39	Bagichi Ram Chand	4036-49
31	15 SB	39	Ditto	4020-34
32	15 SB	39	Ditto	4000-14
33	15 SB	39	Ditto	3993
34	15 SB	39	Ditto	1336
35	15 SB	39	Ditto	1326
36	15 SB	39	Ditto	1322
37	15 SB	39	Ditto	1315
38	15 SB	39	Ditto	1261
39	15 SB	39	Ditto	1254
40	15 SB	39	Bazar Pahar Ganj	1101
41	15 SC	40	Katra Kala Wati	4280
42	15 SC	40	Katra Changa Mal	4288
43	15 SC	40	Katra Makhan Lal	4346
44	15 SC	40	Katra Siri Ram	4769
45	15 SC	40	Ditto	4781
46	15 SC	40	Katra Shiv Parshad	5060
47	15 SC	40	Katra Chandu Lal	5018
48	15 SC	40	Katra Siri Ram	4819
49	15 SC	40	Ditto	4823
50	15 SC	40	Katra Mangla Ram	4822
51	15 SC	40	Katra Julayan	4821
52	15 SC	40	Katra Rahu Ram	4898
53	15 SC	40	Katra Lal Chand	5419
54	15 SC	40	Katra Chiranji Lal	5370
55	15 SC	40	Katra Nawab	5308
56	15 SC	40	Katra Charan Niwas	5352
57	15 SC	40	Katra Mussadhi Lal	5350
58	15 SC	40	Katra Ishwar	5351
59	15 SC	40	Katra Mahant	5527
60	15 SC	40	Katra Chandu Wala	5541
61	15 SC	40	Katra Afiz Ziauddin	4539
62	15 SC	40	Katra Laxman Dass	5239
63	15 SC	40	Katra Mohan Lal	5271
64	15 SC	40	Katra Rai Ji	4401
65	15 SC	40	Ditto	4430
66	15 SC	40	Ditto	4390
67	15 SC	40	Katra Jangli Mal	4321
68	15 SC	40	Gali Kababian	4501

Sl. No.	Ward No.	Constituency No.	Locality	House No.
69	15 SC	40	Mandi Dal	4533
70	15 SC	40	Katra Rehman	4390
71	15 SC	40	Katra Sham Lal	5174
72	15 SC	40	Katra Mumtaz	5171
73	15 SC	40	Katra Damodar Dass	5166
74	15 SC	40	Katra Rora Bhagat
75	15 SC	40	Katra Shora	2321
76	15 SC	40	Bharat Nagar	5271
77	15 SC	40	Ditto	5200
78	15 SC	40	Katra Rai Ji	4455
79	15 SD	38	Katra Bhagwant Bhawan	3645
80	15 SD	38	Katra Yogindar Singh	3641
81	15 SD	38	Katra Dhobian	3636
82	15 SD	38	Katra Kishan Sahi	3650
83	15 SD	38	Gali Ram Nath	3798
84	15 SD	38	Ditto	3656
85	15 SD	38	Ditto	3631
86	15 SD	38	Ditto	3665
87	15 SD	38	Dariba Pan	3616
88	15 SD	38	Ditto	3620
89	15 SD	38	Ditto	3673
90	15 SD	38	Ditto	3460
91	15 SD	38	Ditto	3473
92	15 SD	38	Gali Sangtrashan	3180-98
93	15 SD	38	Dariba Pan	3703-31
94	15 SD	38	Gali Ram Nath Patwa	3745
95	15 SD	38	Ditto	3738
96	15 SD	38	Ditto	3808
97	15 SD	38	Pusta Pul	3526
98	15 SD	38	Gali Bagichi Habib Bux	3286-3307
99	15 SD	38	Gali School Wali	3224
100	15 SD	38	Gali Phatak Wali	3202
101	15 SD	38	Gali Ram Nath Patwa	3649
102	15 SD	38	Ditto	3815
103	15 SD	38	Ditto	3759
104	15 SD	38	Ditto	3772
105	15 SD	38	Pusta Dariba Pan	3755
106	15 SD	38	Ditto	3753
107	15 SD	38	Gali Ram Nath Patwa	3742
108	15 SD	38	Ditto	3745
109	15 SD	38	Bagichi Habib Bux	3393-94
110	15 SD	38	Ditto	3387
1	15 N	36	Aqab Road	10861
2	15 N	36	Church Road	10875
3	15 N	37	Gali Pitalwali
4	15 N	37	Gali Chamarwali
5	15 N	35	Ram Nagar	7784
6	15 N	35	Ara Kashan	7852
7	15 N	38	Ditto	8666
8	15 N	35	Gali Chamaran	7912
9	15 N	35	Aqab Chamaran
10	15 N	35	Gali Chamaran	7893
11	15 N	35	Katra Ghazi Ram	7898
12	15 N	35	Nai Basti	7512
13	15 N	35	Katra Krina	7894
14	15 N	35	Katra Anayat Kabristan	7514
15	15 N	35	Katra Rama Nand
16	15 N	35	Katra Laddu Ram	7525
17	15 N	37	Gali No. 1, Multani Dhanda	10174
18	15 N	37	Gali No. 3, Multani Dhanda	9990
19	15 N	37	Gali No. 5, Multani Dhanda	9905
20	15 N	37	Gali No. 5 and 6, Do. . . .	9961
21	15 N	37	Gali No. 7, Mob. Shikaran	9793
22	15 N	37	Gali No. 7, Multani Dhanda	9803
23	15 N	36	Nabi Karim Pahar Ganj	6125

Sl. No.	Ward No.	Constituency No.	Locality	House No.
24	15 N	36	Nabi Karim Pahar Ganj . . .	6130
25	15 N	36	Ditto . . .	5987
26	15 N	36	Nabi Karim Pahar Ganj (Katra Khaliq). . .	6110-17
27	15 N	36	Nabi Karim, Pahar Ganj . . .	6237
28	15 N	36	Khaza Baqi Billa. . .	6571
29	15 N	36	Qutab Road . . .	6518—6537
30	15 N	36	Factory Road, Nabi Karim . . .	5983
31	15 N	36	Jhandewalan Road . . .	5824
32	15 N	36	Nabi Karim Pahar Ganj . . .	6054
33	15 N	33	Gali Chamaran, Nai Basti . . .	7907
34	15 N	38	Gali No. 3, Multani Dhanda . . .	8861
35	15 N	38	Gali No. 1, Multani Dhanda . . .	9034—41
36	15 N	35	Gali Chamaran . . .	9577—9597
37	15 N	37	Gali No. 5, Multani Dhanda . . .	9909
38	15 N	37	Ditto . . .	9893—9900
39	15 N	37	Gali No. 6, Multani Dhanda . . .	9861
40	15 N	37	Gali No. 6, Multani Dhanda . . .	9858
41	15 N	37	Gali No. 9, Multani Dhanda . . .	9753 to 9796
42	15 N	36	Chowk Singara Factory Road . . .	5754 to 5769
43	15 N	37	Jhandewalan Road Kabar . . .	10315
44	15 N	35	Mandi Katra Jamaluddin Ara Kashan Road . . .	7802
45	15 N	35	Bagichi Doctor Sahib Gali No. 7 . . .	8042
46	15 N	36	Bagar Basti
47	15 N	35	Chiniot Basti
48	15 N	36	Jhandewalan Road . . .	10809
49	15 N	36	Ditto . . .	10861
50	15 N	36	Ditto . . .	10815
51	15 N	38	Ara Kashan Road . . .	8654
52	15 N	38	Ditto . . .	8638
1	16IA.	42	Gali Masjid Wali, Joshi Road . . .	468
2	16IA.	42	Gali Mir Mohd. Hussain, Joshi Road . . .	695
3	16.I-B	43	Junction Ajmal Khan Road, and Arya Samaj Road . . .	2295
1	16/III	44	Rohtak Road, Opp. Tibbia College, Karol Bagh. . .	8577 Main Gate.

[No. F.1(4)/55-Admn.]

G. MUKHARJI, Secy.

MINISTRY OF LABOUR

New Delhi, the 7th November 1956

S.R.O. 2703.—In exercise of the powers conferred by sub-section (4) of section 36 of the Tea Districts Emigrant Labour Act 1932 (22 of 1932), the Central Government hereby invests the Civil Assistant Surgeons at Katihar, district Purnea and at Sahibganj, district Sonthal Parganas, in the State of Bihar, with the powers of the Controller under Section 33 and sub-section (1) of section 35 of the said Act.

[No. F. PL/1-8/11/56.]

New Delhi, the 13th November 1956

S.R.O. 2704.—In exercise of the powers conferred by section 73-B of the Employers' State Insurance Act, 1948 (34 of 1948), the Central Government hereby

makes the following amendment in the notification of the Government of India in the Ministry of Labour No SRO 466, dated the 5th March, 1952, namely:—

In the statement annexed to the said notification in Part A, for the existing entries relating to Madras, the following entries shall be substituted, namely:—

- | | |
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| <p>Madras 1. The Commissioner for Workmen's Compensation, Madras.</p> <p>2. The Additional Commissioner for Workmen's Compensation, Madras, (Assistant Commissioner of Labour)</p> | <p>Madras City.</p> <p>Districts of North Arcot, South Arcot, Chingleput, Coimbatore, Mathurai, Nilgiris, Ramanathapuram, Salem, Tanjore, Tiruchirappalli, Tirunelveli and Kanya Kumari.</p> |
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[No. F. HI-1 (106)/56]

B. R. KHANNA, Under Secy.

New Delhi, the 8th November 1956

S.R.O. 2705.—In exercise of the powers conferred by Section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an industrial tribunal of which Shri R. K. Basu a retired District and Sessions Judge and a former Member of the Labour Appellate Tribunal shall be the sole Member, with headquarters at Calcutta,

And in exercise of the powers conferred by Section 10 of the said Act and in supersession of the Order of the Government of India in the Ministry of Labour No SRO 1499, dated the 20th June, 1956, the Central Government hereby refers to the said industrial tribunal for adjudication the dispute mentioned in the aforesaid order, being a dispute between the employers in relation to the Mosaboni Mines of the Indian Copper Corporation Limited, and the Mosaboni Mines Labour Union

[No. L R II-2(59)/55]

New Delhi, the 9th November 1956

S.R.O. 2706.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the dispute between the employers in relation to the Union Bank of India, Limited, Bombay and their workmen

BEFORE SHRI D E REUBEN, INDUSTRIAL TRIBUNAL (CENTRAL) BOMBAY

Reference No. B 5/56

between

The Union Bank of India, Ltd.,

and

Its workmen

In the matter of alleged wrongful termination of the services of Shri R. K. Desai and the relief, if any, that should be allowed to him

Dated the 5th day of November, 1956

APPEARANCES

For the Union Bank of India Ltd.—Shri P. P. Khambatta, Counsel, with Shri Asayekar, Advocate

For the Workmen of the Bank Shri A. S. R. Chari, Counsel, with Shri Homi Framroze, Advocate

DECISION

1 The following dispute between the Union Bank of India Ltd., Bombay, and its workmen has been referred to me under Section 7 read with Section 10 of the Industrial Disputes Act, 1947:—

“Alleged wrongful termination of the services of Shri R. K. Desai and relief, if any, that should be allowed to him”

2. Shri R. K. Desai was first employed by the Union Bank in 1948, and was posted at Surat as Agent of the Branch of the Bank at that place. Some time later, he was relieved of his charge as Agent of the Bank of the Surat Branch, but continued to work there as Development Officer. In October 1949 he was transferred to the Head Office at Bombay and was posted in the Current Accounts Department. In 1951 he was reprimanded by an order of the General Manager and was transferred to the Share Department. He continued to work in that Department till the 17th September when a certain incident took place which has given rise to the present reference. By this time in addition to his duties in the Share Department certain duties in the Savings Bank and Fixed Deposit Accounts Department had been allotted to him since June 1954, and he was also made responsible for certain general duties which are set out in Annexure "A" to the General Manager's affidavit of the 25th September 1956.

3. On the date in question one R. V. Khanolkar accompanied by one N. V. Zarapkar appeared before the General Manager, Shri F. K. F. Nariman and they accused R. K. Desai of having persuaded Khanolkar, a share-holder of the Bank, to sell his bank shares to R. K. Desai at less than their market value. The Bank's account of the incident is that in the ordinary course Khanolkar went to R. K. Desai to take delivery of his bank-shares and that R. K. Desai taking advantage of Khanolkar's ignorance tried to induce him to sell his shares at less than their market value. The shares stood in the name of Khanolkar's deceased father, but Khanolkar had obtained Letters of Administration which were registered in the Bank and all that was necessary to enable Khanolkar to sell the shares in the open market was an authentication on the transfer forms bearing the rubber stamp of the Bank to the effect that the Letters of Administration were registered with the Bank. The story is that the necessary endorsement was made by R. K. Desai and initialled by him, but he refused to affix the rubber stamp of the Bank thereto. Zarapkar, who was then working as a share-broker and was acquainted with both the parties, remonstrated with R. K. Desai and finding this to be of no avail advised Khanolkar to complain to the General Manager. Thereupon both of them went to Shri Nariman under whose advice Khanolkar went back to R. K. Desai and agreed to sell the shares to him. Thereafter, when R. K. Desai was free in the after-noon, he took Khanolkar to one R. B. Desai and the transaction took place 35 shares of a face value of Rs. 5 each being sold for Rs. 6 each, and a cheque for Rs. 210 drawn by R. B. Desai was made over to Khanolkar. After this Khanolkar and Zarapkar went back to Shri Nariman who sent for R. K. Desai and upon his arrival taxed him with having abused his position. R. K. Desai admitted the facts and pleaded for mercy. But considering his previous record, Shri Nariman decided that there was no alternative but to terminate his services. Hence on the 18th September 1954 memorandum Dept. Misc. No. 746 (R-104) was issued to R. K. Desai informing him that, "his services are no longer required" and enclosing a pay-slip for the amount of his salary for the current month and the next month in lieu of notice.

4. A letter protesting against the summary termination of his services was addressed by R. K. Desai to the Bank on the 20th September 1954, and it was followed on the 23rd September 1954 by a letter from the Federation of Bank Employees, Bombay. Ultimately, the matter was taken up in conciliation by the Conciliation Officer (Central), Bombay, and in pursuance of a suggestion made by the Conciliation Officer (Central) the Bank's memorandum of the 18th September 1954 was cancelled by the Bank's memorandum No. Misc. 851 dated 15th November, 1954 and Shri R. K. Desai was required "to call and see" Shri Nariman. This memorandum was received by Shri R. K. Desai too late for him to join on 16th November 1954 and he went to the Bank in pursuance thereof on the 17th November 1954. There is some obscurity as to what happened when he arrived, whether he came at the usual opening hour or very much later. The obscurity has not been cleared in the evidence given. Be that as it may, the fact is accepted by both the sides that R. K. Desai did not join that day but, instead, was served with a charge-sheet referring to the incident of the 17th September 1954 and informing him that an enquiry would be held on the 18th November 1954 at 4 p.m. into "this gross abuse, for personal gain, of the powers entrusted to Mr. Desai for harassing a shareholder by not complying with his reasonable request and thereby lowering the prestige of the Bank in the eyes of the public". In reply R. K. Desai addressed to letters to the General Manager the same days. In one he charged the General Manager with vindictiveness on the ground that, instead of allowing him to sign the muster, the General Manager served him with a charge-sheet, and he informed the General Manager that he was reporting the matter to the Conciliation Officer (Central). In the second letter R. K. Desai asked for a week's time to file his written statement in answer to the charge. In his reply, also of the same date, the General Manager denied that R. K. Desai was prevented from signing the muster and accused him of

having attended late. In reply to the request for time, the General Manager stated that no reason was given for the request although when he orally asked for time he was required to state reasons in writing. The reply fixed the enquiry for the 20th. It was subsequently adjourned to 22nd November 1954. On that date R. K. Desai appeared and filed a written statement and also a memorandum objecting to the legality of the proceedings on the ground that the memorandum of the termination of his services dated the 18th September 1954 had been cancelled at the instance of the Conciliation Officer and he had been re-instated in his post. He also objected that he was labouring under a handicap as he was not allowed to be represented by a lawyer. The enquiry was taken up in spite of this protest. There is a dispute between the parties as to what were the exact happenings that took place after this. According to the Bank two statements signed by Khanolkar and Zarpakar were put to R. K. Desai and their genuineness was admitted by him. On being asked what he had to say in reply, R. K. Desai wanted to cross-examine Khanolkar. Shri Nariman thereupon reminded him that the allegations contained in the statements were made by Khanolkar and Zarpakar in the presence of Desai. Nevertheless, Shri Nariman showed his willingness to call them for cross-examination whereupon Desai, "gave up his front and said that he was sticking to his original contention that the enquiry itself was illegal". After this Shri Nariman questioned Desai about certain other incidents but Desai refused to reply alleging that the questions were not covered by the charge. In defence, it is stated, Desai offered an affidavit sworn by R. B. Desai, but it was rejected by Shri Nariman as the witness was not called for cross-examination. Thereafter the enquiry was closed and Shri Desai was dismissed from the service of the Bank by memorandum No. Dept. Misc. 869 dated 22nd November 1954, which informed him that the charges against him were conclusively proved and that the General Manager had come to the conclusion that it was not at all in the interest of the Bank to retain Shri Desai as one of its employees. A payslip for Rs. 260-6-0, being his salary for the number of days put in by him during the current month was enclosed with the memorandum.

5. Desai's account of the proceedings of the 22nd November is that there was in fact no proper inquiry. After he raised his preliminary objection and filed his written statement, the General Manager showed him the signature on Khanolkar's statement. Desai stated that he could not identify it but was prepared to accept the General Manager's assurance that it was Khanolkar's signature. Thereafter he wanted to cross-examine Khanolkar but the General Manager refused to give him an opportunity saying that if he wanted to cross-examine him he (Desai) should have brought him. Thereafter Desai tendered the affidavit of R. B. Desai but the General Manager refused it, and he also rejected R. K. Desai's request to be allowed to examine R. B. Desai in person as his witness. Then some irrelevant questions were put to him and on Desai's refusing to reply to them Shri Nariman was very much annoyed. After this there was some further questioning in which the Chief Accountant took part and in which R. K. Desai protested that he was innocent, that he referred Khanolkar to the Department of the Bank which deals in the sale and purchase of shares, and that, Khanolkar being unwilling to deal with that Department, he (Desai) during his free time tried to help Khanolkar at Khanolkar's request.

6. Three points were raised in the proceedings before me:

- (1) Whether Desai at the relevant time was a workman and is entitled to relief under the Industrial Disputes Act.
- (2) Whether there was a proper Departmental Inquiry leading up to the dismissal of Desai, and
- (3) If there was no proper inquiry on which the order of dismissal is supportable, whether on the evidence adduced before me the charge against R. K. Desai is made out, and if so, whether the penalty imposed is justified.

POINT No. I

7. It is the case of the Bank that R. K. Desai is not a workman. I have already noted that Desai was first appointed as an Agent of the Bank's branch at Surat and, after working in certain other capacities, was posted in the Share Department at Bombay in 1951. Desai's case is that when he was transferred to the Share Department it was by way of demotion, and that at the relevant time he was merely a clerk. From the evidence placed before me I have no doubt that throughout his service the Bank regarded Desai as an Officer. Shri Nariman deposes that he was in Grade E of Officers in which the scale of pay is Rs. 225 to Rs. 325. At the time when Desai was transferred to the Share Department his

salary was Rs. 275. From that date till the date of his dismissal he was given no increments. This is a point that was stressed on behalf of R. K. Desai, because Rs. 275 is the maximum salary which can be attained by a clerk. It is however admitted that during the time that Desai was in the Share Department he was drawing dearness allowance on the Officers' scale, which is different from the scale for clerks. Exhibit H is a circular of the Chief Accountant dated 29th January, 1954 directing several officers of the Bank to check the balancing of current accounts ledgers. R. K. Desai is one of the officers named and has initialled against his name. That R. K. Desai accepted his position as an Officer would appear from Ex. D which is a petition addressed by him to the General Manager "in respect of my annual increments which have been stopped for the last two years". The petition concludes by asking the General Manager to "remove ban imposed for the last two years on my annual increments". No question of increments could arise unless R. K. Desai considered himself still to be in the Officers' grade; and the petition makes no request for being put back in the Officers' grade. Desai's explanation in the cross-examination that "if my increments are given it will automatically amount to promotion" is not convincing.

8. Whether the parties at the relevant time regarded Desai as an Officer or not does not, however, decide the point at issue. As has been repeatedly pointed out by the Labour Appellate Tribunal the essential question is the nature of the work that the employee in question is doing. The term "workman" is defined by the Industrial Disputes Act as meaning "any person employed (including an apprentice) in any industry to do any skilled or unskilled manual or clerical work for hire or for reward". In the present case the question of manual work does not arise. What is clerical work was dealt with by a Special Bench of the Labour Appellate Tribunal in the Banks' Appeals. Mr. Justice Divatia had defined a clerk as a 'person who does routine work of writing, copying or making calculations under the direction and supervision of an officer'; a wider definition was given to the term by Mr. Justice Bind Basini Prasad by formulating the test of "directional and controlling power" as a true test. The Special Bench approved the former definition and, after an examination of the various decisions, concluded:

"The approach therefore should be not from the angle of deciding whether the employee is an officer but from that of examining the duties to be performed by the employee and deciding whether they are in the main clerical or not. For the purposes of administration gradation between employees is inevitable and duties of clerk are not inconsistent with a limited amount of supervision and control over other employees."

9. The duties of R. K. Desai at the relevant time are set out in annexure A to the affidavit of Shri Nariman. Several of them have been explained by Shri Nariman in his deposition in Court, and R. K. Desai himself was cross-examined at length regarding the duties set out in the list. It is admitted that substantially the duties are set out correctly in the list. They consist principally of checking the entries in all the principal registers of the department. This supports the statement of Shri Nariman that he (Desai) was the officer in charge of the department. Shri Desai suggested that one Shri Gutta was in charge but he was unable to show Shri Gutta's signature on any of the departmental books. Shri Gutta's signatures appear on a few letters issued regarding the 35 shares standing in the name of Khanolkar's father. This is quite consistent with the suggestion made on behalf of the Bank that Shri Gutta deals with matters in which legal considerations arise. Besides checking, other important duties were allotted to Shri Desai such as signing on behalf of the Bank transfer receipts in respect of shares of the Bank lodged for transfer, admitting the signatures of transferees for the Bank's permanent record, passing dividends for payment, signing credit and debit vouchers, passing for payment cheques and pay orders, and so on. With reference to the check for which Shri Desai was responsible, it was urged that for the purpose of making the check Shri Desai had to go through all the operations which the clerk had to go through before he made the entries, and an attempt was made to distinguish between the check expected of Shri Desai which was to be based on his own personal verification of the entries and the check expected of officers like the General Manager or the Chief Accountant, whose initials are affixed to documents and registers not on their own personal verification but in reliance on verifications made by a subordinate. It was urged that where the check is based on verification made by the employee himself he is merely a glorified clerk. It was further pointed out that many of the duties enumerated in the list are duties which are now being performed by senior clerks. The appointment of senior clerks was explained by Shri Nariman. There has been a great increase in the volume of work during the last year and half and some work of additional responsibility is given to senior clerks who are paid a special allowance therefor. Because some, or even most, of the duties allotted to Shri Desai are at times performed by senior clerks, it does not follow

that he was a clerk. The question is one of degree. As was observed by the Special Bench in the Banks' Appeals, the duties of a clerk are not inconsistent with a limited amount of supervision and control, and the test in deciding whether an employee is a clerk or not is whether his duties are *in the main* clerical. A case in point is that of *Madan Gopal Vs. Hindusthan Commercial Bank, Limited* (1956, 1, L.L.J. 414), in which a person designated as sub-agent of a bank was held to be a clerk. The Labour Appellate Tribunal in that case found that only about an hour and half per day was spent by this employee in performing supervisory duties and that during the rest of the time his work has essentially clerical in nature. Here, the bulk of Shri R. K. Desai's work was supervisory. In all the registers which were shown to me entries made by Shri Desai himself appeared only in the register of old records in the Bank's godown and Shri Desai admitted in evidence that the checking part of his duty occupied six hours out of his working day of 7½ hours. During the rest of the time, he said, he used to pass cash cheques and dividend warrants.

10. On this evidence it is not possible to hold that Shri Desai was a workman.

POINT NO. II

11. I come now to the happenings of the 22nd November 1954. Regarding what happened on that day I have only the statements on one side of Shri Nariman and on the other side of Shri R. K. Desai. Shri Nariman's version was recorded by him in a note dictated soon after and placed on record in the Staff Record Register (Ex. A). This is substantially the same as the Bank's present story set out above. Regarding what happened when Shri Desai wanted to cross-examine Khanolkar the note says "the General Manager pointed out that both Shri Khanolkar and Shri Zarpkar had made the same statement in his (Desai's) own presence and he was a witness to it, and told him that it was for him to call any witness he desired to examine or cross-examine. However, at this Mr. Desai kept quiet". This to my mind explains the present suggestion made by Shri Desai that, when he wanted to cross-examine Khanolkar, he was told that he should have brought Khanolkar himself. It is not likely that a person holding the responsible position of the General Manager of the Bank would suggest that the person against whom proceedings are being conducted should himself produce the witness that he wants to cross-examine. It is obvious that all that this passage means is that the General Manager pointed out to Desai that the statements in question were made in his presence, and went on to say that nevertheless it was open to him to require any witness to be brought for examination or cross-examination. The affidavit of Shri Nariman is to the same effect. It says that when Shri Desai wanted to cross-examine Khanolkar Shri Nariman "reminded him that the allegations contained in the statement of Shri Khanolkar and Shri Zarpkar were made in the presence of Shri Desai". An attempt has been made to read this sentence by itself as an admission that the opportunity of cross-examination was denied to Shri Desai. The sentence however has to be read with the immediately following sentence which says: "But as soon as I showed my readiness to call Shri Khanolkar for cross-examination Shri Desai with a view to putting obstacles in the way of further inquiry gave up his front and stated that he was sticking to his original contention that the inquiry was illegal". In short Shri Nariman expressed his willingness to allow cross-examination but thereupon Shri Desai insisted that the proceedings were without jurisdiction.

12. As regards the tendering of the affidavit of Shri R. B. Desai Shri Nariman admits that the affidavit was tendered but says he refused it as he wanted R. B. Desai to appear and support it in person. This was a perfectly legitimate position to take up, though it is unfortunate that Shri Nariman did not make a note of the fact in his memorandum Ex. A Shri Nariman denies that R. B. Desai was in fact present and was tendered as a witness, and no statement to this effect was made by R. B. Desai who has been examined on behalf of R. K. Desai.

13. An attempt has been made to suggest that throughout the proceedings, in fact even at the time when Shri Desai was called back to the Bank on the 15th November 1954 there was a *mala fide* intention on the part of Shri Nariman to regularise his proceedings by drawing up a charge against R. K. Desai and dismissing him after holding a formal inquiry. Shri Nariman's explanation of the circumstances in which he drew up the proceedings against R. K. Desai is that he expected that R. K. Desai when he came back to the Bank would tender an apology for what had happened, and that the proceedings were drawn up because he failed to do so. A suggestion that an apology would be offered was made in the conciliation proceedings when the Conciliation Officer (Central) and Shri Mandal who represented Shri Desai suggested that he should be taken back. Shri Nariman took time to consider the suggestion and his memorandum

of the 15th November cancelling the discharge order of the 17th September was issued a few days later. It is true that this memorandum says nothing about the failure to offer an apology, and that at no time on the 17th September and in the correspondence between Shri Nariman and R. K. Desai that followed was there any mention that an apology was expected. The position taken by Shri Nariman, however, is that he expected the apology to be voluntarily offered, and he was not prepared at any stage to ask for it.

14. As supporting the suggestion of *mala fides*, it is pointed out that the charge sheet gave Shri Desai only one day in which to prepare his defence, and that on an application for time only two days more were allowed to him. We have to look at this matter from the point of view of Shri Nariman, and not in the light of what a trained lawyer or a judge would do. If we are to believe Shri Nariman, R. K. Desai was accused in Shri Nariman's presence by two respectable persons of having abused his position for his own ends, and Shri Desai had admitted his guilt. To him, therefore, the matter of an inquiry into what had happened seemed simple. Merely because he gave a short time I would not be justified in thinking that he was acting *mala fide*. Reference was also made to certain questions put to Shri Desai relating to matters not mentioned in the charge-sheet, and it is suggested that a roving inquiry was instituted into Shri Desai's conduct. The nature of the inquiries appears from the memorandum (Ex. A) and again shows that Shri Nariman was behaving as a layman. Even if it is true that Shri Desai purchased Bank's shares previously under similar circumstances in the name of his son, that circumstance was irrelevant for proving the truth or falsity of the present charges and Shri Desai was fully justified in refusing to answer the questions put to him.

15. Shri Nariman has been cross-examined at length in my presence, and I very carefully watched his demeanour throughout and was impressed by the spontaneity of his replies. I do not believe that he was actuated by any *mala fides*. The proper progress of his inquiry however was hampered from the beginning, because Shri Desai took up the position that it was without jurisdiction. The result was that the evidence produced against Shri Desai went unchallenged. On the other side, Shri Nariman went beyond his rights in directing the inquiry to irrelevant matters, and his memorandum of the 22nd November conveying to R. K. Desai the order of dismissal indicates that Shri Nariman was considerably put out by what he calls R. K. Desai's "defence and insolence". Apparently there was a misunderstanding on both sides, on the part of R. K. Desai regarding Shri Nariman's jurisdiction to hold the inquiry, and on Shri Nariman's regarding the scope of the inquiry. In the circumstances, if my answer to the first point had been in the affirmative, I would have felt constrained to say that Shri Desai had not had a proper opportunity to defend himself in the proceedings, and would have investigated the facts myself on the evidence tendered.

POINT NO. III

16. I now proceed to deal with the charge on the evidence tendered. The witnesses on the side of the Bank are Khanolkar, Zarapkar and Shri Nariman. On the other side is the evidence of Shri R. K. Desai and Shri R. B. Desai.

17. The earliest account of the occurrence of 17th September is given in two statements dated 17th September 1954 purporting to have been made by Khanolkar and Zarapkar respectively, and to bear their signatures. The circumstances in which the statements were recorded are described by Zarapkar. In the evening of the 17th September Zarapkar and Khanolkar were directed by the General Manager to get their statements recorded and were referred to a stenographer. Zarapkar made his statement directly to the stenographer, and, as the stenographer did not know Marathi, he (Zarapkar) translated Khanolkar's statement to the stenographer. The statements were typed the same day and were signed by the two men. By the time they were taken to Shri Nariman, he had left office. So they were filed before him the next day. Both the statements tell the story I have reproduced above as being the Bank's story, and Zarapkar's deposition confirms the account in all substantial particulars. The statement made by Khanolkar in the court differs in several particulars, but my impression of him was that he had only a confused remembrance of the details of the day's events. Shri Nariman confirmed the evidence given by Zarapkar.

18. Zarapkar's account is that Khanolkar came to him a few days before the 17th September and asked him to help in disposing off the shares. At his request the witness went to the Bank and was at the counter when Khanolkar went and got the share-scrips. He was also at the counter when Khanolkar went to R. K. Desai and got an endorsement on the transfer forms relative to the Letters

of Administration being registered in the Bank. Thereafter, when Desai refused to put the Bank's rubber stamp on the endorsement they went to the General Manager, and on his advice permitted Desai to arrange for the sale of the shares. This account is corroborated by Shri Nariman, and R. K. Desai admits that in the evening he was sent for to Nariman's Office and under his directions arranged to get the shares back from Shri R. B. Desai.

19. Desai's account is that Khanolkar wanted him to verify his (Khanolkar's) signatures on two transfer forms. Desai refused but he endorsed on the forms the fact of the Letters of Administration being registered; he initialled the endorsement but through oversight did not affix the Bank's rubber stamp. He denies that Khanolkar at any time asked for the rubber stamp on the endorsements. Half an hour later Khanolkar came back saying that the broker refused to buy the shares as they were not in his name. Desai advised him to sell after getting them transferred to his name, but Khanolkar expressed his anxiety to sell at once and asked Desai to help him. Hence, Desai went with him after 2-30 P.M. that day and on the way they met R. B. Desai, to whom Desai introduced Khanolkar. Thereafter R. B. Desai offered to buy the shares at Rs. 6 per share, and Khanolkar and R. B. Desai came to terms independently of R. K. Desai. R. K. Desai knew that Khanolkar would have been able to get about Rs. 6-8-0 per share from any broker, but he did not think it necessary to tell Khanolkar "as Mr. Khanolkar and Mr. Ramanbhai have settled between themselves" and as "Khanolkar was knowing the rate. Later, on being so directed by the General Manager Desai went to R. B. Desai and persuaded him to return the shares.

20. Khanolkar is working as a Wireman in the workshop of the Bombay Telephones Company and is well-paid. It has therefore been urged that his evidence contradicting the accounts given by Zarapkar and Nariman cannot be ignored. From the moment he started deposing however, it was patent that he was an ignorant and uneducated man. The incident took place about two years ago and even about details regarding which there is no dispute he was unable to give a correct account. Thus, he could not remember whether there was one or two transfer forms when he went to Desai; in fact, he does not remember whether he signed a transfer form at all. Again, he is under the impression that his shares were sold by Zarapkar through a broker on the 17th September and the money was paid to him (Khanolkar) the same day, whereas the facts are that the shares were sold on the 18th through the Bank, and the money was paid to Khanolkar at the Bank on the 18th. His demeanour throughout his deposition gave the impression that he was not actuated by ill-will and that he was trying to give an honest account of events. His lack of cunning appears from his production of a bundle of papers (marked as Ex. 1), the very first of which papers was a copy of the typed statement of 17th September bearing Khanolkar's signature. Had he been appearing as a witness to support a false story against Desai, he would have at least taken the precaution to refresh his memory by getting this document read and translated to him. As contrasted with Khanolkar, the other two witnesses are educated men with trained memories, and therefore more likely to remember the details of what happened on the 17th September, 1954.

21. Zarapkar worked as an agent for the Associated Banking Corporation of India about 10 years ago. At that time Desai was working as agent of another branch of the Bank, and the two men knew each other. Subsequently the bank went into liquidation, and Desai was one of the employees retained by the Liquidator when Zarapkar was discharged. On behalf of Desai it has been suggested that this is the reason why Zarapkar set up Khanolkar to make a false accusation against Desai. It is admitted that Desai's appointment under the Liquidator continued for only three months. Also, Desai tells us that till the 17th September, 1954 he did not meet Zarapkar again. It seems unlikely that Zarapkar would still harbour such actively hostile feelings towards Desai.

22. The circumstances also are against the suggestion made on behalf of Desai. At one time it was suggested that Zarapkar met Khanolkar after the sale of the shares to R. B. Desai, and took advantage of the transaction to make a false accusation against R. K. Desai. But the shares were sold in the after-noon, and Shri Nariman tells us that in the morning Khanolkar and Zarapkar came to him and complained about R. K. Desai wanting to buy the shares, and that he (Nariman) told them to let Desai buy them. If, as suggested on behalf of Desai, the shares had already been sold when these men went to Nariman, why should Nariman join hands with Zarapkar and Khanolkar in giving a false account of how the shares came to be sold?

23. In the course of his deposition R. K. Desai spoke of having seen Zarapkar at the counter when Khanolkar came to him on the morning of the 17th September. Also in the statement filed before Shri Nariman on the 22nd November 1954,

Desai says: "On that day I had marked that one Mr. Zarapkar was accompanying the said Khanolkar, but Zarapkar was keeping in the background". This makes probable Zarapkar's story that he was with Khanolkar from the beginning. If this was so, since Zarapkar was working as a sub-broker Khanolkar would not be wanting Desai's help for disposing of the shares. And even if it was true that at his request Desai agreed to help him to sell the shares, Zarapkar could not know before hand that the shares would be sold at a price that was unfair to Khanolkar, and he would not have dared to approach Shri Nariman before the sale with a false accusation against Desai.

24. Desai's story was first told by him in his statement of the 22nd November 1954. He says that Khanolkar returned and told him that "the broker refused to accept the sale of the shares as the shares were not registered in his name." Since Khanolkar had already gone to a broker the obvious thing was to complete the endorsement regarding the Letters of Administration by putting the rubber stamp of the bank on it and telling him to go again to the broker. Desai says that Khanolkar did not ask for the rubber stamp, but Desai knew the significance of the endorsement, and when Khanolkar came back to him would be certain to refer him to the endorsement and in doing so would have discovered the omission of the rubber stamp. Further, he tells us that out of kindness he agreed to help Khanolkar to sell the shares. If this was so, it seems unlikely that he would allow an obviously ignorant man like Khanolkar to part with shares at a considerable loss to R. B. Desai. It has been suggested that Khanolkar was in a hurry to get his money. This is not surprising, as he had been corresponding about the shares since 5th July 1952 (*vide* Ex. 1), but there is nothing to show that he was in such a hurry that he had to sell at once. This possibility was hinted at in Desai's statement of 22nd November 1954, namely that Khanolkar said "he was to leave Bombay the next day after clearing his debts". R. K. Desai referred to this in the course of his cross-examination, but Khanolkar was not asked a question about it when he was in the witness box. Zarapkar was by his side and Khanolkar would know that with the Letters of Administration registered in the Bank and the share-scrips in his hand, the completion of the sale was a matter of a few days. Hence, he would not knowingly have consented to part with the shares at such an inadequate price.

25. These in brief are the main reasons why I accept the Bank's version of the transaction and reject the evidence of R. K. Desai and R. B. Desai. I hold that the charge against R. K. Desai is amply made out, and is sufficiently grave to justify the penalty imposed.

26. On these findings Shri R. K. Desai is not entitled to any relief and the demand of the workmen fails.

(Sd.) D. E. REUBEN,

Bombay, the 5th day of November 1956 Industrial Tribunal (Central), Bombay.

[No. LR-10(12)/56.]

New Delhi, the 12th November 1956

S.R.O. 2707.—Whereas the service of Shri P. S. Bindra and Shri J. N. Ahuja, Chairman and member respectively, of the Industrial Tribunal constituted by the notification of the Government of India in the Ministry of Labour, No. LR-100(53)/54-I, dated the 25th November 1954 for the adjudication of an industrial dispute concerning the United Bank of India Limited, have ceased to be available and vacancies have occurred in the two offices aforesaid;

Now, therefore, in pursuance of the provisions of sub-section (2) of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Matin Ahmed, Chairman of the Central Government Industrial Tribunal, Dhanbad, as Chairman and Shri P. S. Mokashi, Deputy Chief Officer, Reserve Bank of India, Bombay as member of the Industrial Tribunal constituted by the said notification.

[No. LR-100(53)/54.]

S.R.O. 2708.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the matter of an industrial dispute between the Commissioners for the Port of Calcutta and the Assistant Harbour Masters employed in the Port.

BEFORE SHRI F. JEEJEEBHROY,

Chairman, Labour Appellate Tribunal of India, functioning as the Sole Member of the Central Government Industrial Tribunal constituted by the Order of the Government of India, Ministry of Labour, dated the 30th August 1956, with headquarters at Bombay.

REFERENCE No. B-6 OF 1956

In the matter of:

The Assistant Harbour Masters employed in the Port of Calcutta

AND

The Commissioners for the Port Calcutta.

APPEARANCES

For the Assistant Harbour Masters—

Shri S. K. Acharya, Barrister-at-Law.

Shri K. Prasad, Advocate.

Shri M. N. Roy, Advocate.

Mrs. Madhuri Ghose, Advocate.

For the Port Commissioners—

Shri S. Banerji, Barrister-at-Law with Shri N. K. Mukherji, Advocate, and Shri H. P. Ganguly, Law Officer.

AWARD

This Reference concerns the Assistant Harbour Masters of the Port of Calcutta who number 39. Their functions extend from Garden Reach to Howrah Bridge, and it is their duty to navigate a ship up the river from Garden Reach and to either moor it midstream or take it alongside, or in certain cases to take it to the entrance to the dock whence the Dock Master takes charge. They all hold a Master Mariner's Certificate, and there can be no doubt that they require considerable training and experience to fit them for the work. They are divided into three grades, the lowest grade has to take charge of vessels up to 350 ft. B.P.; the middle grade up to 424 ft. B.P., and the top grade beyond that. Their scales of salary are given according to their respective grades. It cannot be denied that the work demands skilful navigation, movement, and manoeuvre in a river which is rather narrow and also be set by sharp currents. In fact when some ships are being taken down the river they have to be navigated stern first for some distance before they find sufficient room for turning. There is also a bore which travels on this river. When a bore is expected certain Assistant Harbour Masters have to be on duty to make sure of proper mooring and to take steps in case of any accident. Furthermore owing to the congested area, ships are quite often moored three abreast, and I am told that manoeuvring a ship between two other vessels in the Calcutta river require considerable skill. As in all services, so in the case of the Assistant Harbour Masters, they must be equipped with basic qualifications and experience for the work which they are required to do and for which they are paid from public funds.

2. A Committee was appointed by the Government of India on 16th December 1954 "to enquire into and report on the conditions of work of categories of personnel employed in the ports of Calcutta and Bombay" (as given in the Schedule), and to make recommendations generally and with special reference to certain matters. For brevity I shall refer to the Report of that Committee as the Lokur Report. The Reference now made to me is in the following terms:

- (1) Are the findings and recommendations of the Ports Marine Services Enquiry Committee, 1955, in respect of the Assistant Harbour Masters employed in the port of Calcutta just and fair regard being had to the further representations made by the Assistant Harbour Masters' Association to the authorities and the general background against which the said Committee was entrusted with the enquiry.
- (2) If not, how should the Committee's recommendations be amended or supplemented generally and with special reference to the following matters concerning Assistant Harbour Masters employed in the Port of Calcutta.
 - (a) Scale of pay and period of service required to reach the maximum of the scale.

- (b) Payment of overtime work and basis for computation thereof.
- (c) Claim for additional remuneration (i) for all acts of mooring and unmooring and (ii) for turns worked at night."

3. It will therefore be observed that this Reference is in respect of such matters on which the Lokur Committee has given a finding or made a recommendation. At the hearing of the Reference Shri Acharya on behalf of the Assistant Harbour Masters indicated that his claims were in the main for (a) night fees (b) mooring and unmooring fees (c) alteration of increments and (d) opportunities for promotion. He pressed these points and some others too. Many of the other claims made in the statement of the Assistant Harbour Masters are not the ones in respect of which the Lokur Committee gave a finding or made a recommendation.

4. Before I consider each of the items in detail it is necessary to refer to what has happened in the recent past concerning the claims of Assistant Harbour Masters. The Lokur Committee declined to recommend any night fees for the Assistant Harbour Masters; it recommended under the heading "Systems of Turns, Hours of Work, Strength of Cadres etc." that for every turn in excess of 18 per month an allowance should be paid at the rate of Rs. 50 for each additional turn with retrospective effect from 1st April 1954; and that the Assistant Harbour Masters should be allowed one day off every week and 20 days of casual leave in a year. The Lokur Report also made the following observations:

"When the post-war general revision of the pay scales took place in 1948, the basic pay scales for Assistant Harbour Masters were fixed at Rs. 800—50—1,250—75—1,400—50—1,500. In addition, a conveyance allowance of Rs. 175 per month for those in possession of a car and of Rs. 120 per month for others was also sanctioned.

In 1949 the following further concessions were granted:

- (i) Uniform Allowance of Rs. 25 per month.
- (ii) Mess allowance of Rs. 40 per month and
- (iii) Personal pay ranging from Rs. 50 to Rs. 150 per month to those on the maximum and two advance grade increments to other officers without affecting future grade increments.

In 1951, the maximum of the scale was raised to Rs. 1,750 and the system of overtime allowance mentioned in para. one above was sanctioned as a temporary measure. This allowance was discontinued by the Commissioners from 31st July 1953, as in their opinion, the justification for it had ceased."

5. Thus the present scale of the Assistant Harbour Masters, raised in 1951, is Rs. 800/900—50—1,250—75—1,400—50—1,750. A new recruit on confirmation after four months training starts on Rs. 900 basic pay, and along with dearness allowance and other allowances his initial emoluments thus become Rs. 1,405. The maximum is reached within a period of 16 years and at the maximum an Assistant Harbour Master gets Rs. 2,090.

6. As regards the mooring and unmooring fees, the Lokur Report recommended that the Port Commissioners should maintain a sufficient number of specially trained mooring crews to place on board ships for each operation of mooring and unmooring, and that the engagement of such special crews should be made a condition for all mooring and unmooring operations. Until such time as this could be done, it recommended that a fee of Rs. 25 per ship may be paid to the Assistant Harbour Masters in respect of any ship for which no such special mooring crews were engaged. A special committee of the Port Commissioners which had been appointed to consider the recommendations of the Lokur Committee was of the view that the acceptance of this recommendation would involve considerable uncertainty and friction.

7. The Lokur Report was signed on 16th February 1955, but the Assistant Harbour Masters were not satisfied with the recommendations made and they started further agitation.

8. They made three representations, on 17th December 1955, 23rd January 1956 and 2nd April 1956. In the January representation they asked for (1) night fee graded on size of ships at Rs. 60, Rs. 40 and Rs. 20 per ship (2) mooring fee of Rs. 25 moored or unmoored for each mooring, and Rs. 50 if the mooring was done at night (3) In charge allowance of Rs. 300 P.M. for senior officers on special

duty, that is, for the Mooring Master, Assistant Mooring Master, Officer in-charge Port Dredging and Officer at Budge Budge. The Assistant Harbour Masters were called to Delhi in connection with these representations, and there were discussions at Delhi on 14th, 15th and 16th March 1956 with Shri Iyer who is the Secretary of the Transport Ministry, and they also had an interview with the Hon'ble the Minister on 16th March 1956. The Government took the following decision:

- (a) No night fee will be paid.
- (b) A mooring fee of Rs. 20 for each act of mooring or unmooring will be given irrespective of whether the Commissioners provide a mooring crew or not.
- (c) Three of the existing posts of Assistant Harbour Masters will be converted to posts above the time scale. One of these posts will carry a pay of Rs. 1,850 and each of the other two posts Rs. 1,800.
- (d) The Chairman would recommend to the Commissioners in meeting proposals on the above basis and on approval by the Commissioners Government would have no objection to sanctioning them under Section 34 of the Calcutta Port Act.

9. The Assistant Harbour Masters did not accept this decision of the Government, although it is stated that one of the conditions of the discussion was that they would agree to abide by and accept the decision of the Government. In the circumstances the Government decided to refer the dispute to adjudication, and on 30th August 1956 this Tribunal was appointed for that purpose.

10. After this Reference had been made, the Assistant Harbour Masters by their letter of 1st September 1956 threatened to go on strike on the expiry of 7 days thereof, and on 6th September 1956, 24 of the Assistant Harbour Masters *en masse* sent 24 letters of resignation to the Port Commissioners, the resignations to be effective from midnight of the next day. They stopped work on 7th September. On the same day the Government of India issued a notification notifying the Assistant Harbour Masters' Service to be an essential service under the Essential Services (Maintenance) Ordinance 1941. On 8th September the Hon'ble the Minister for Transport delivered a speech in Parliament, an authorized summary of which was distributed to the Assistant Harbour Masters drawing their attention to the assurances given in Parliament and asking them to consider the immediate resumption of their duties now that the matter had been referred to a Tribunal. When this was communicated to the Assistant Harbour Masters they raised new points before the Chairman. They desired that the Harbour Masters' Department should be a separate one, not under the control of the Deputy Conservator. They further wanted special concessions to be granted to European Assistant Harbour Masters to facilitate their premature retirement. They also asked that overtime should be paid retrospectively from 1st April 1954. The Chairman of the Port Commissioners communicated these matters to the Government and gave the decision of the Government to the Assistant Harbour Masters. They were as follows:—

Subject	Decision
(a) Retrospective effect from 1st April 1954 to all monetary benefits that may be awarded by the adjudicator.	Request from the Assistant Harbour Masters to the adjudicator for such retrospective effect would not be opposed by the authorities.
(b) Proposed retirement benefits for European officers in service.	Government would be prepared to revise its previous decision rejecting this proposal should the officers concerned desire that this should be done. It must be made clear however that the intention was not to compel any officer to retire and that the same if approved would be a voluntary retirement.
(c) Demand for making the Assistant Harbour Masters Department independent of the Deputy Conservator.	This matter could not be considered in the present context.

11. Thereafter two new points emerged. The first was that the Assistant Harbour Masters required as a preliminary condition to their return to work that the Government would give an assurance that a Committee would be appointed by Government without delay to go into the question of the exclusion of the Harbour Masters Department from the control of the Deputy Conservator. Secondly there was the question of victimisation; the Assistant Harbour Masters wanted an assurance that none of them would be victimised for stoppage of work from 7th September 1956. Government replied that there would be no victimisation, and that the Government could do no more than note the request of the Assistant Harbour Masters for setting up an Enquiry Committee to go into the question of excluding the Assistant Harbour Masters Service from the administrative control of the Deputy Conservator etc. This decision was also not acceptable to the Assistant Harbour Masters.

12. Thereafter on the morning of 10th September 1956 Shri B. C. Mallick one of the Port Commissioners made an endeavour to get the Assistant Harbour Masters back to work. As a result of talks he prepared a letter in the office of the Port Commissioners, dated 10th September 1956, setting out the arrangement which the Assistant Harbour Masters wanted as a condition to their returning to work. Those terms Shri Mallick says were in accordance with what the Chairman, who was consulted by Shri Mallick during the course of the talks, considered to be acceptable. Shri Mallick was then given a copy of the reply which the Chairman said would be sent to that letter; that copy according to Shri Mallick was shown to the Assistant Harbour Masters who were then present and was approved by them including the President of the Association; it was agreed that that letter of the Chairman would be delivered to the Assistant Harbour Masters two hours after they resumed work. The Assistant Harbour Masters resumed work on that day, and two hours later the promised letter was duly given to the President of the Association exactly in the same form as shown to the Assistant Harbour Masters previously by Shri Mallick. It has been contended on behalf of the Assistant Harbour Masters that there are material differences between Ex. B and the reply which came. It does appear that the Chairman had in the first instance been willing to accept the arrangements as stated in Ex. B, and that after further consideration he made some small changes; but the fact remains that a copy of his proposed reply was shown to the Assistant Harbour Masters before they resumed work and they had accepted that reply as sufficiently meeting their points. It is in evidence on behalf of the Assistant Harbour Masters that they were never shown this draft of the Chairman's reply, but Shri Mallick has positively stated to the contrary, and his evidence on this point was not challenged in cross-examination. I have no hesitation in holding that before they resumed work the Assistant Harbour Masters had accepted the terms of the Chairman's letter of the 10th September 1956, signed by the Secretary of the Port Commissioners. There are four points in that letter—

- (a) There would be no victimisation.
- (b) A request from the Assistant Harbour Masters to the Adjudicator for payment of overtime with retrospective effect from 1st April 1954 would not be opposed by the authorities.
- (c) That the Commissioners would not oppose before the Tribunal a prayer from the Assistant Harbour Masters for grant of fees for mooring or unmooring in accordance with the Government offer.
- (d) Government would be prepared to reconsider the case of the European members of the Harbour Masters' Service and the proposal for the grant of proportionate retirement benefits but not so as to compel any officer to retire, and that the concession if approved would apply only to voluntary retirement.
- (e) The creation of a separate Department of the Assistant Harbour Masters and the request of the Assistant Harbour Masters for setting up an Enquiry Committee to go into the question of excluding the Harbour Masters' Service from the administrative control of the Deputy Conservator was noted.

13. It is therefore abundantly clear that after this Tribunal had been constituted, the Assistant Harbour Masters by utilising their position as public servants whose defection from duty would cause harm to the community, were enabled to secure assurances which otherwise would not have been available. I shall have occasion to remark on this subject at the conclusion of this award.

14. *Night Fees.*—I agree with the view of the Labour Committee that no further night fees should be granted. The night fees which used to be paid previously were consolidated into the basic salary, when that salary was increased from

Rs. 650 to Rs. 800 in 1951. There is no claim before me for any increase of salary; the new recruit on confirmation after four months' training is given two extra increments (which all the others also have been given) so that the starting pay after apprenticeship has become Rs. 900 instead of Rs. 800. Apart from the reasons given by the Lokur Committee there are other factors which negative any claim for night fees. A summary of the work done by the Assistant Harbour Masters shows that there has been a substantial reduction in the work done by the Assistant Harbour Masters from 1952 to 1955. The President of the Association from his own records has stated that in 1952 he worked on the average 20 ships in the month, in 1953 the average was 15 ships, in 1954 he was on leave, and in 1955 his average was 14.4 ships in the month. This in fact has been the general pattern. The figures of the President of the Association for 1955 have been further analysed. The total number of jobs done by him during the year excluding bore look-outs was 145, and out of these 88 jobs were such that the whole or some portion of them fell within the period between 6 P.M. and 6 A.M. The total number of hours worked during the year between 6 P.M. and 6 A.M. was 321 hours and 39 minutes. This means that an Assistant Harbour Master works on the average one ship every two days, the average job lasting about 6 to 7 hours, and his night duty is on the average concerned with only half the number of ships handled during the month, and that includes any duty however short between the hours of 6 P.M. and 6 A.M. No doubt there are periods of stand-by, but the time of a ship's arrival is by no means a matter of guess. Thus the Assistant Harbour Masters have plenty of home life and leisure, within of course the nature of their calling.

14A. It has been contended by Shri Acharya on behalf of the Assistant Harbour Masters that if I were today to de-consolidate the basic wages and the night allowance, it would be found that the basic wage was too low by present day standards. The answer to my mind is clear. There is in the first place no case for de-consolidation; secondly the starting basic pay has already gone up from Rs. 800 to Rs. 900; and, thirdly, the night allowance having been merged into the basic, giving considerable advantages in respect of allowances allied to basic pay, a larger benefit has accrued to the Assistant Harbour Masters than at first sight appears. There is nothing to indicate that the emoluments are insufficient because of the night work done or otherwise. Furthermore as the work done by the Assistant Harbour Masters has progressively decreased from 1952 there has been a proportionate decrease in the night work, and what had been consolidated as night fees is more in terms of money today than it was at the time of consolidation. Thus the claim for a night allowance in addition to the present basic of Rs. 900 Rs. 1,750 to my mind is misconceived. Shri Acharya has made a plea that the Bombay Pilots get a night fee and that the Pilot Service of Calcutta is also in receipt of a night fee, and he points to the basic wages which are paid to the Pilot Service of Calcutta and the separate night allowance which they get. It is not the case of the Assistant Harbour Masters that I should increase their salary as given by the present scale (except for the increments to which reference will be made later), and comparisons as made by Shri Acharya have little validity. The Port Services of India have evolved out of the special conditions of a Port and the availability of personnel; each of the Services has had its special problems, and emoluments have to some extent varied in the past to secure officers of the right calibre to man the particular services. There is thus a historical background to the wage scales as now prevailing, although efforts have been made after 1947 to provide as far as possible a uniformity of salary for cognate types of work. There are also small differences, and in some cases material differences, in the duties and responsibilities of the different services, and it is thus unrealistic to claim night allowance simply because it has been given somewhere else, without taking into consideration the various other factors affecting the other services, or the historical background or previous assurances given to its personnel. The fact that 70 percent. of the Indian Master Mariners have preferred shore jobs to going to sea lends support to the conclusion of the Lokur Committee, with which I agree, that the Harbour Masters Service has an attraction on account of its work and the emoluments which it offers. It must be clearly enunciated that we cannot in the case of Class 1 Officers, having a salary scale of Rs. 900—1,750 plus substantial allowances and benefits, apply those same principles of meticulous calculation of emoluments and benefits which would be applicable in the case of the low paid employees with whom every rupee counts, and not a few of whom unfortunately live on the margin line of poverty.

15. We must take a commonsense view of these matters. It has been urged that although the cost of living has gone up very high, the emoluments of the Assistant Harbour Masters have not kept pace with the rise; and it is therefore urged that the payment of a night fee would help to bridge the gap; it is also

pointed out that the Government has stopped paying dearness allowance on basic salary above Rs. 1,000. It is surprising to hear this line of argument. It should be apparent to the Assistant Harbour Masters, and they are by no means ignorant of the Pay Commission's Report, that there has been a marked tendency after 1947 to revise certain pay scales which had been high in the past because of the fact that the incumbents were mostly non-Indians, and the new scales which have been introduced have in fact been lower than the earlier scales. I need not dilate on this point, except to mention the case of the old Indian Civil Service and the present Indian Administrative Service and the differences in their maximum emoluments. The Assistant Harbour Masters are fortunate that even in 1951 their maximum was increased to Rs. 1,750. It is axiomatic in the present context of national policy that it is the lower paid who have to be insulated against the shock of a higher cost of living, and indeed they have been so insulated right up to Rs. 1,000 basic in the case of Government servants.

16. It is next said that the Assistant Harbour Masters' service require a minimum qualification of a Master Mariner's Certificate, whereas the Pilot Service of Calcutta requires a lesser professional qualification. But in matters like Pilot Service and the Harbour Masters' Service it is the training and experience which the officers undergo and acquire in their work which determines their worth. A Master Mariner has to acquire a very considerable experience before he can hope to get a Captain's appointment in any large ship; and yet at the commencement of his work an Assistant Harbour Master after only four months apprenticeship starts with a total emolument of Rs. 1,405 or so, which by any contemporary standard is satisfactory. It would be fatal to the principle of salary fixation if officers demand increases simply because officers in another service doing something similar but having little lesser qualifications receive the same remuneration as themselves, for it is the duties and responsibilities which an officer carries and the availability of the right personnel which determines his worth; and in this connection it may be mentioned that the educational qualification of an Assistant Harbour Master has been a matriculation certificate; I am told that it is now raised to Intermediate.

16A. The Bengal Pilot Service has had a reputation for skill and ability, and Pilots have to traverse the river from Sandhead to Garden Reach amidst shoals and other obstructions, dangers which have affected many a ship in the past, and they also have to board and leave ships in monsoon weather. The Assistant Harbour Masters also have duties and responsibilities in which they show skill and ability for which they receive a substantial remuneration. But it would be unjustified for either the Pilots or the Assistant Harbour Masters to claim that just because one of them gets a particular allowance the other must necessarily have it, for, as I have said before, there can be no absolute standard of comparison between the two; and I decline to hold that because a Master Mariner's Certificate is required for an Assistant Harbour Master and a little lesser professional qualification for a Pilot the Assistant Harbour Masters must necessarily command certain advantages in emoluments or other benefits. When a wage has been fixed by Authority and the officer has joined the service knowing the duties and responsibilities and the emoluments which he is to receive during the course of his service, that officer cannot expect any change in the terms and conditions on which he was appointed unless substantial grounds exist which would persuade Authority to grant additional benefits. That is the basis of public service, and the Assistant Harbour Masters can claim no exemption from it. The present Assistant Harbour Masters knew at the time of their appointment that their salary included a consolidated night allowance, and their position has been improved since then by two important circumstances, namely, the grant of two additional increments, and the increase of the maximum in 1951 to Rs. 1,750. It looks to me that they have been very well treated not only in the matter of salary scales, but also in the matter of their allowances and benefits. There must be few services indeed in which a new recruit at an early age is able to secure a starting emolument of Rs. 1,405 and able to reach the maximum in a period of 16 years and 4 months, in addition to which he is allowed two schemes of provident fund, one of which is contributory bearing a fair rate of interest. It is also to be noted that the conveyance, uniform and messing allowances are free of income-tax. The Government in order to avoid disruption of public service has referred the claims to adjudication, but the Assistant Harbour Masters have been unable to advance any sufficient reasons based on work or other circumstances which would justify any additional separate payment as night fees; and the claim on the count of extra night fees fails.

17. Shri Acharya does not want any decision on overtime, as to which the Lockur Committee has recommended some benefits to which I have already referred. Shri Acharya says that a night allowance would constitute the overtime which he seeks.

18. The next question to be considered is the claim that the increments in the scale of Rs. 800/900-1750 should be altered. According to the existing scale, and with the two additional increments which everybody is being given, the scale of the Assistant Harbour Masters enables an Assistant Harbour Master to reach the maximum of the scale within 16 years and 4 months. They want it to be reduced to 13 years. The Pilot's scale extends over a period of 22 years, and a scale ordinarily extends to between 18 and 20 years. I see no reason to reduce the period of the scale from 16 years 4 months to 13 years. The present scale is more than satisfactory, and it is in fact much better than any scales provided by the Pay Commission's Report.

19. It was urged by Shri Acharya that the grant of two additional increments after four months probation has not been accepted as a general principle. But that is not correct. These emoluments will be available to all new entrants after they have successfully emerged from their training. In fact there is Ex. 16 on the record filed by the Port Commissioners in which it is clearly stated that "the Chairman has decided that the starting pay of Rs. 800 per month should be offered to all new entries as Assistant Harbour Masters. On passing their Departmental examination and being confirmed they should be advanced to Rs. 900 per month in the scale." This document satisfactory disposes of Shri Acharya's contention on the point.

20. The next question is whether the in-charge allowance of Rs. 300 should be given to the Assistant Mooring Master and Officer-in-Charge Port Dredging. It has been pointed out that the grant of such allowance would upset the prevailing wage scales of the administrative officers, and there is substance in this contention. The promotion grades have their own emoluments, and there is no reason for giving an in-charge allowance of Rs. 300.

21. *Fees for mooring or unmooring.*—The Government has offered to pay Rs. 20 for each act of mooring or unmooring irrespective of whether the Commissioners provide a mooring crew or not. There is no suggestion that the Government is not prepared to give what has been offered. This claim is therefore accepted.

22. The question of the length of a scale is allied to the question of sufficient chances of promotion. The Pay Commission has enunciated the proposition that for satisfactory service conditions and for the contentment of a cadre, there ought to be sufficient opportunities for promotion. At present there are six shore posts in the Harbour Masters Service in Calcutta. These are the Harbour Master, the Deputy Harbour Master and the Dock Master. In addition to these there are the Mooring Master, the Assistant Mooring Master and Officer-in-Charge Port Dredging they are in the Assistant Harbour Masters' category but have been placed on shore on special duty, and the Government has offered that these three existing administrative posts of Assistant Harbour Masters will be converted to posts above the time scale. One of the posts will carry a pay of Rs. 1,850 and the other two Rs. 1,800 each. None of these officers has duties afloat, except that the Officer-in-Charge Port Dredging might shift a dredger from one place to another. Above all these officers is the Deputy Conservator. I have no evidence before me to indicate that there is so much shore based work as to justify an increase of the number of administrative officers. The Chairman of the Port Commissioners is the best judge as to whether any further administrative posts should be created, and if he thinks that any further avenues of promotion can be given, the total cadre would justify it. On this matter I can only recommend that the Government do take into consideration the question as to whether any additional administrative appointments are necessary so that the chances of promotion may be slightly enhanced by increasing the shore appointments by two. I make no direction for the simple reason that such a direction would not have any substantial basis. It is assumed that the Port Commissioners will convert the three posts of Assistant Harbour Masters now on special duty to posts above the time scale and give them the salary of Rs. 1,850 Rs. 1,800 and Rs. 1,800 respectively as already agreed.

23. It has been contended on behalf of the Assistant Harbour Masters that the senior posts to which a Bombay Pilot may aspire are altogether 9. But superficial comparisons of this character cannot advance the Assistant Harbour Masters' case. In the first place there must be work for an administrative cadre, and there must be appointments consistent with the requirements of administrative and shore work. If therefore the shore work cannot absorb more than 6 officers, it would be wrong to give a direction to the contrary.

24. It thus follows that the Assistant Harbour Masters should receive mooring/unmooring charges, and the question arises what order I should make on that subject. It must be appreciated that these mooring/unmooring charges had been already conceded to them at a very early stage by the Government as far back as March 16th. The Assistant Harbour Masters however thought fit even after the Reference to adjudication to go on strike, and as a Tribunal I must take serious notice of this fact. I can understand a poor workman living on the margin of poverty having to go on a strike as a last resort to better his state of living, but it is astounding that officers who on appointment draw straightaway a total emolument of Rs. 1,405, and on reaching the top of the scale of Rs. 2,090 should cheaply indulge in a strike for small allowances on which the Government after full consideration had given a decision, and for which the Government had gone out of its way to appoint a Tribunal. Shri Acharya endeavoured to elevate his claim to night fees by equating it to some basic principle of wage fixation. I have failed to perceive what the principle is. It was a pure and simple claim for extra night fees which Government had not accepted, which the Lokur Committee had negatived, and which I now do not accept. In any event the amount claimed was a small allowance in relation to their total emoluments. Nothing can be more deleterious to discipline than that Class 1 officers so highly placed should have even thought of going on strike. It was legitimate for them to make representations, but in a restrained manner and not in the language which they used. But it was never legitimate for them to press such claims in a manner which constituted blackmail of the community.

25. When an officer of the category of Assistant Harbour Master applies for the post which he is given he becomes a servant of the public, and the public which sustains him naturally expects from him the duties and obligations which he implicitly undertakes by the very terms of his appointment. The Assistant Harbour Masters as such public servants should have realised that upon the appointment of a Tribunal they had secured a constitutional means of redress, and they must have also known that if they struck work after a Tribunal had been appointed they would be committing in illegal act. When therefore these Assistant Harbour Masters after the constitution of the Tribunal went on strike for their small grievances, and sent in resignations *en masse* with the object of forcing Authority to accept their claims, they were doing something which was an affront to the community; their action has done damage not only in terms of money, but to that discipline of public service which one expects from officers entrusted with such responsible duties. They must consider themselves fortunate that they have been helped to retrieve an untenable position, for if the Government had been forced to take action against them under the Essential Services Ordinance it would have meant grave harm to themselves and their families, and their Master Mariner's Certificate, if tainted, would have had a very depreciated value. It is standing dictum of the Labour Appellate Tribunal that while it will do its utmost to see that justice prevails as between the parties before it, it will never countenance much less encourage acts of indiscipline; and that dictum has been consistently followed and applied, and its application has been recently upheld by their Lordships of the Supreme Court. I make these observations because they have a bearing on the question as to the form in which any reliefs under this award should be given.

26. I find that the Assistant Harbour Masters ought to be paid a mooring and unmooring fee of Rs. 20 for each act of mooring or unmooring irrespective of whether mooring crews are provided or not, and this was also the decision of the Government, and ordinarily I would have made a direction to that effect. But having regard to what has gone before, I shall refrain from making a direction, and I shall instead make a recommendation which I hereby do, that the Commissioners of the Port do give such mooring and unmooring fees with retrospective effect from 16th March 1956. I make a recommendation, and not a direction, because I feel that in the context of the strike these fees should reach the Assistant Harbour Masters as a boon from the Government and should not have the false appearance of having been extracted through a Tribunal. An adjudicator under the Industrial Disputes Act is concerned not only with the claims of the employees on the one hand and the contentions of the employer on the other, but also with the impact of his decision on the community. In my opinion the public interest which has been outraged and has suffered will be best served by means of a recommendation to Authority.

27. No direction or recommendation is needed as regards the three administrative posts which the Port Commissioners have agreed to place above the time scale on Rs. 1,850, Rs. 1,800 and Rs. 1,800 respectively, and the Port Commissioners will thus be giving effect to it.

28. It was urged by Shri Banerji on behalf of the Port Commissioners that whatever was offered by the Government had to be accepted as a whole and not in bits and pieces. I appreciate the validity of this general principle when applicable to a compact set of terms, but in this case it was, firstly, a decision of the Government; and secondly, the arrangement of 10th September 1956 dealt with separate items after the Reference to adjudication, and even if that arrangement was repudiated by the Assistant Harbour Masters it was nevertheless binding as now found. In point of fact having regard to my conclusions, this question does not assume any importance.

29. As regards the claim for the appointment of an additional Assistant Harbour Master at Budge Budge there are no materials before me that present arrangements at Budge Budge are not satisfactory. It may be that the turn round of ships is greater at Budge Budge, but on the other hand I have no materials before me to come to the conclusion that the present arrangements are inadequate.

30. Claims, other than those expressly allowed as aforesaid, fail.

31. Now, therefore, I make an award in terms aforesaid.

F. JEEJEEBHROY,

Chairman, Labour Appellate Tribunal of India,
functioning as the Sole Member, Central Government Industrial Tribunal with headquarters at Bombay.

The 5th November, 1956.

[No. L.R.3(49)/56.]

ORDERS

New Delhi, the 9th November 1956

S.R.O. 2707.—Whereas the All India Bank Employees Co-ordination Committee and the All India Bank Employees Association have raised certain doubts relating to the interpretation of the award of the All India Industrial Tribunal (Bank Disputes), Bombay, constituted by the notification of the Government of India in the Ministry of Labour, No. S.R.O. 35, dated the 5th January, 1952, as modified by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1953 (41 of 1950);

And whereas the Central Government is of opinion that a difficulty or doubt has arisen as to the interpretation of the said award, modified as aforesaid, in respect of the matters specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby refers the said matters for decision to Shri D. E. Reuben, a member of the Labour Appellate Tribunal constituted under section 5 of the Industrial Disputes (Appellate Tribunal) Act, 1950 (48 of 1950).

SCHEDULE

Whether the minimum and maximum dearness allowance laid down in paragraph 151 of the award of the All India Industrial Tribunal (Bank Disputes) constituted by the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th January 1952, modified as aforesaid can be reduced or increased when the half-yearly average all India cost of living index number falls or rises respectively by more than 10 points as compared to 144 (1944-100).

[No. LR-10(39)/56.]

New Delhi, the 12th November 1956

S.R.O. 2710.—Whereas the Central Government is of opinion that an industrial dispute exists or is apprehended between the employers in relation to the Angarpathra Colliery of M/s. National Coal Co. Ltd., P.O. Katrasgarh, Distt. Manbhum, Bihar, and their workmen, in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal at Dhanbad constituted under section 7 of the said Act.

SCHEDULE

- (i) Whether the management was justified in locking out 82 of their workmen from the 13th, 15th and 16th June, 1953? If not, to what relief are the workmen entitled?
- (ii) Whether the management is justified in keeping nine of the locked-out persons out of employment so long and if not, whether these men are entitled to reinstatement.

[No. LR-II-2(31)/54.]

A. L. HANDA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi-2, the 10th November 1956

S.R.O. 2711.—In exercise of the powers conferred by sub-rule (3) of rule 9 read with sub-rule (3) of rule 10 of the Cinematograph (Censorship) Rules, 1951, the Central Government hereby re-appoints after consultation with the Central Board of Film Censors the following persons as members of the Advisory Panel of the said Board at Bombay with effect from 1st October, 1956.

1. Shri B. R. Dhurandhar.
2. Shri G. L. Chandavarkar.
3. Munshi M. M. Khan.
4. Rev. H. O. Mascarenhas.
5. Shri P. O. Upadhyaya.
6. Major General M. G. Bhandari.
7. Shrimati Guli H. Kirpalani.

[No. 14/2/56-FC.]

B. S. DASARATHY, Dy. Secy.

